

Adams 171.10



A C T S

PASSED AT THE
SECOND SESSION
OF THE
SEVENTH CONGRESS
OF THE
UNITED STATES.

SEVENTH CONGRESS
OF THE
UNITED STATES,

At the second session, begun and held at the City of Washington, in the Territory of Columbia, on Monday, the fifth of December, one thousand eight hundred and two.

CHAPTER LIV.

An ACT making a partial appropriation for the Naval Service, during the year one thousand eight hundred and three.

BE it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the sum of one hundred thousand dollars be, and the same hereby is appropriated towards defraying the expenses of the Navy of the United States, during the year one thousand eight hundred and three.

Sec. 2. *And be it further enacted,* That the aforesaid sum shall be paid, first, out of any balance remaining unexpended of former appropriations for the same object; and secondly, out of any monies in the Treasury, not otherwise appropriated.

NATH^l. MACON,

Speaker of the House of Representatives.

STEPHEN R. BRADLEY,

President of the Senate, pro tempore.

January 14th, 1803, APPROVED.

TH. JEFFERSON.

CHAPTER LV.

An ACT for the relief of Charles Hyde.

BE it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the proper accounting officers liquidate and settle the account of Charles Hyde, for his services as judge advocate to the army, from the second day of December, Anno Domini, one thousand seven hundred and ninety-two, to the fifteenth day of July, Anno Domini, one thousand seven hundred and ninety-four, both inclusive; and that he be allowed such pay and emoluments for said services, in addition to his pay in the line, as were, at that time, allowed by law to officers acting in that capacity.

NATH^L. MACON,

Speaker of the House of Representatives.

STEPHEN R. BRADLEY,

President of the Senate, pro tempore.

January 14th, 1803, APPROVED.

TH: JEFFERSON.

CHAPTER LVI.

An ACT for the relief of Henry Messonnier.

BE it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That there be paid to Henry Messonnier, from any money in the Treasury, not heretofore appropriated by law, the sum of six hundred and fifty-five

dollars, and ninety cents, being the amount of duties paid by him on fourteen hogsheads of Coffee imported in the ship Pacareau, Captain Latour, and entered at the port of Baltimore, on the eighteenth day of February, one thousand seven hundred and ninety-four, which sum had also been paid on the same fourteen hogsheads of Coffee, by Champaign and Deyme.

NATHL. MACON,

Speaker of the House of Representatives.

A. BURR,

*Vice President of the United States, and
President of the Senate.*

February 10th, 1803, APPROVED.

TH: JEFFERSON.

CHAPTER LVII.

An ACT authorising the sale of a piece of land, parcel of the Navy Yard belonging to the United States, in Charlestown, in the state of Massachusetts, to the proprietors of the Salem turnpike road and Chelsea bridge corporation.

BE it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the Secretary of the Navy be, and he hereby is authorised and empowered, by indenture of bargain and sale, in common form, to convey, in fee simple, to the proprietors of the Salem turnpike and Chelsea bridge corporation, by their proper name of incorporation, a certain piece of land, lying on the Western corner, and being parcel of the Navy-yard belonging

Secretary of the Navy authorised to convey a piece of land to the Salem bridge corporation.

to the United States, in Charlestown, in the state of Massachusetts, containing fifteen square perches, or thereabouts, or so much thereof as is required to enable the said proprietors to lay out and make a turnpike road from Salem to Charlestown bridge, near Boston, according to the plan exhibited to Congress by the said proprietors.

A valuation to be ascertained by disinterested persons and paid.

Sec. 2. *And be it further enacted*, That it shall be the duty of the said Secretary, prior to the making the said conveyance, to cause the said piece of land to be valued by disinterested men, to be appointed in such manner as he shall agree with the said proprietors; the amount of which said valuation, being paid to the use of the United States, it shall then, and not before, be lawful for the said Secretary to make the aforesaid conveyance.

NATHL. MACON,

Speaker of the House of Representatives.

A. BURR,

Vice President of the United States, and President of the Senate.

February 10th, 1805, APPROVED.

TH: JEFFERSON.

CHAPTER LVIII.

An ACT to provide for the granting of Clearances to Ships or Vessels owned by citizens of the United States, lying in the river Mississippi, south of the southern boundary of the United States, and therein to amend an act, intituled "An act to regulate the collection of Duties on Imports and Tonnage;" and for other purposes.

P*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That when-*

ever articles of the growth, produce, or manufacture of the United States, shall be intended to be exported from any of the ports of the United States within the Mississippi, by the way of New-Orleans, to any foreign port, the identity of such articles shall be ascertained and certified in the same manner by the proper officers as has been or hereafter may be provided, for the transportation of the same articles to any of the ports of the United States, without the Mississippi.

Sec. 2. *And be it further enacted*, That it shall be lawful for the collector of the customs for the district of Mississippi, to grant to any ship or vessel owned by citizens of the United States, laden with articles of the growth, produce, or manufacture of the said states, and actually lying in some part of the river Mississippi, south of the southern boundary of the United States, a clearance in the same manner as if such ship or vessel was lying within the said district, which clearance shall be of the form following, to wit:

“ District of Mississippi, to
Port of Adams,

These are to certify to all whom it doth concern, That _____ master or commander of the _____ burthen _____ tons or thereabouts, mounted with _____ guns (if any) navigated with _____ men _____ built, now lying in the river Mississippi, out of the limits of the United States, and bound for _____ having on board (here specify the articles if required) being of the growth, produce, or manufacture of the United States, or (if no specification be required) being laden with articles of the growth, produce, or manufacture of the United States, hath here cleared his said vessel according to law:

In what manner goods to be exported from the Mississippi are to be identified.

Certificate to be granted by the collector of the Mississippi district.

captains or owners of American vessels, two dollars for each certificate he shall sign, certifying that the articles contained in such certificate, are of the growth, produce, or manufacture of the United States; and he shall also be authorised to employ a proper person to attend to the landing and loading such articles, whose duty therein, and compensation, shall be the same as those of an inspector of customs in one of the ports of the United States, which compensation shall be considered as a charge against the revenue, and defrayed by the collector for the district of Mississippi, out of the monies received by him on account of the duties on tonnage and merchandise.

NATHL. MACON,
Speaker of the House of Representatives.
A. BURR,
*Vice-President of the United States, and
President of the Senate.*

February 19, 1803.

APPROVED.

TH: JEFFERSON.

CHAPTER LIX.

*An ACT for the relief of the sufferers by fire,
in the town of Portsmouth.*

BE it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That all persons who, being indebted to the United States, for duties on merchandise, have given bond therefor, with one or more sureties, payable to the collector for the district of

Sufferers by fire at Portsmouth to have the indulgence of further time for discharging their custom house bonds.

Portsmouth, and who have suffered a loss of property by the late conflagration at that place, shall be, and they hereby are allowed to take up, or have cancelled, all bonds heretofore given for duties as aforesaid, upon giving to the said collector new bonds, with one or more sureties, to the satisfaction of said collector, for the sums of their former bonds respectively, payable in twelve months from and after the day of payment specified in the bonds to be taken up or cancelled as aforesaid; and the said collector is hereby authorised and directed, to give up or cancel, all such bonds upon the receipt of others as described in this act; which last mentioned bonds shall be proceeded with, in all respects, like other bonds which are taken by collectors for duties due to the United States: Provided however, that nothing in this act contained shall extend to bonds which had fallen due before the twenty sixth day of December last.

NATHL. MACON,

Speaker of the House of Representatives.

A. BURR,

*Vice-President of the United States, and
President of the Senate.*

February 19, 1803.

APPROVED.

TH: JEFFERSON.

CHAPTER LX.

An ACT to provide for the due execution of the laws of the United States, within the State of Ohio.

Laws of the United States to be carried into effect in the State of Ohio.

WHEREAS, the people of the Eastern division of the Territory North West of the river Ohio, did on the twenty ninth

day of November, one thousand eight hundred and two, form for themselves a constitution and state government, and did give to the said state the name of the "State of Ohio," in pursuance of an act of Congress, entitled "An act to enable the people of the Eastern division of the Territory North West of the river Ohio, to form a constitution and state government, and for the admission of such state into the union on an equal footing with the original states, and for other purposes," whereby the said state has become one of the United States of America; in order therefore to provide for the due execution of the laws of the United States within the said state of Ohio :

BE it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That all the laws of the United States which are not locally inapplicable, shall have the same force and effect within the said state of Ohio, as elsewhere within the United States.

Sec. 2. Be it further enacted, That the said state shall be one district, and be called the Ohio District; and a district court shall be held therein, to consist of one judge, who shall reside in the said district, and be called a district judge. He shall hold at the seat of government of the said state, three sessions annually, the first to commence on the first Monday in June next, and the two other sessions progressively on the like Monday of every fourth calendar month afterwards, and he shall in all things have and exercise the same jurisdiction and powers which are by law given to the judge of the Kentucky district: He shall appoint a clerk for the said

All the laws of the United States not locally inapplicable to be executed there.

Ohio to be one district.

District court to be held therein, to consist of one judge.

Sessions of the court, when to be held.

Its powers and jurisdiction.

Clerk to be appointed—
His place of residence, fees, &c.

district, who shall reside and keep the records of the court at the place of holding the same, and shall receive for the services performed by him, the same fees to which the clerk of the Kentucky district is entitled for similar services.

Salary of the judge.

Sec. 3. *Be it further enacted*, That there shall be allowed to the judge of the said district court, the annual compensation of one thousand dollars, to commence from the date of his appointment, to be paid quarter yearly at the Treasury of the United States.

District attorney to be appointed.
His compensation.

Sec. 4. *Be it further enacted*, That there shall be appointed in the said district, a person learned in the law, to act as attorney for the United States, who shall, in addition to his stated fees, be paid by the United States, two hundred dollars annually, as a full compensation for all extra services.

Marshal to be appointed.

Sec. 5. *And be it further enacted*, That a marshal shall be appointed for the said district, who shall perform the same duties, be subject to the same regulations and penalties, and be entitled to the same fees as are prescribed to marshals in other districts, and shall moreover be entitled to the sum of two hundred dollars annually as a compensation for all extra services.

His duties and compensation.

NATH^l. MACON,

Speaker of the House of Representatives.

A. BURR,

*Vice-President of the United States, and
President of the Senate.*

February 19, 1803.

APPROVED.

TH: JEFFERSON.

CHAPTER LXI.

An ACT making further provision for the expenses attending the intercourse between the United States and foreign nations.

BE it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That a sum of two millions of dollars, in addition to the provision heretofore made, be and the same is hereby appropriated for the purpose of defraying any extraordinary expenses which may be incurred in the intercourse between the United States and foreign nations, to be paid out of any money in the treasury, not otherwise appropriated, and to be applied under the direction of the President of the United States, who shall cause an account of the expenditure thereof to be laid before Congress, as soon as may be.

Further appropriation for foreign intercourse.

Sec. 2. *And be it further enacted,* That the President of the United States may, if he shall deem it necessary, and he hereby is authorised to borrow the whole, or any part of the said sum, at an interest not exceeding six per centum per annum, reimbursable before the year one thousand eight hundred and eleven: And it shall be lawful for the bank of the United States to lend the whole, or any part of the same.

President authorised to borrow the money.

The terms and time of reimbursement.

Sec. 3. *And be it further enacted,* That so much as may be necessary of the surplus of the duties on imports and tonnage, beyond the permanent appropriation heretofore charged upon them by law, shall be, and hereby is pledged and appropriated for the payment of the interest, and reimbursement of the principal of all such monies as may be borrowed in

Surplus of duties on imports and tonnage pledged for the payment of interest and reimbursement of principal.

pursuance of this act, according to the terms and conditions on which the loan or loans may be effected.

NATHL. MACON,
Speaker of the House of Representatives.
A. BURR,
*Vice-President of the United States, and
President of the Senate.*

February 26, 1803.

APPROVED.

TH: JEFFERSON.

CHAPTER LXII.

An ACT supplementary to the "Act concerning Consuls and Vice-Consuls, and for the further protection of American Seamen."

Master of vessels to deliver lists to the collectors of the ports whence they go from the United States of their ship's companies, containing descriptions of their persons, &c. Certified copies to be delivered to the masters: fees to be paid for them.

BE it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That before a clearance be granted to any vessel bound on a foreign voyage, the master thereof shall deliver to the collector of the customs, a list, containing the names, places of birth and residence, and a description of the persons who compose his ship's company, to which list the oath or affirmation of the captain shall be annexed, that the said list contains the names of his crew, together with the places of their birth and residence, as far as he can ascertain them, and the said collector, shall deliver him a certified copy thereof, for which the collector shall be entitled to receive the sum of twenty-five cents; and the said master shall moreover enter into bond with sufficient security, in the sum of four hundred dollars, that he shall

Masters to enter into bond.

exhibit the aforesaid certified copy of the list to the first boarding officer, at the first port in the United States, at which he shall arrive on his return thereto, and then and there also produce the persons named therein, to the said boarding officer, whose duty it shall be to examine the men with such list, and to report the same to the collector, and it shall be the duty of the collector at the said port of arrival, (where the same is different from the port from which the vessel originally sailed) to transmit a copy of the list so reported to him, to the collector of the port from which said vessel originally sailed: *Provided*, That the said bond shall not be forfeited on account of the said master not producing to the first boarding officer, as aforesaid, any of the persons contained in the said list, who may be discharged in a foreign country with the consent of the consul, vice-consul, commercial agent, or vice-commercial agent there residing, signified in writing, under his hand and official seal, to be produced to the collector with the other persons composing the crew as aforesaid; nor on account of any such person dying or absconding, or being forcibly impressed into other service, of which satisfactory proof shall be then also exhibited to the collector.

Sec. 2. *And be it enacted*, That it shall be the duty of every master or commander of a ship or vessel, belonging to citizens of the United States who shall sail from any port of the United States, after the first day of May next, on his arrival at a foreign port, to deposit his register, sea-letter, and Mediterranean passport, with the consul, vice-consul, commercial agent, or vice-commercial agent, (if

for what conditioned.

Provisions in favor of the captains.

Master of vessels belonging to the United States arriving in foreign ports, to deliver to the consuls, &c. there certain papers.

Penalty for not doing it.

any there be at such port;) that in case of refusal or neglect of the said master or commander, to deposit the said papers as aforesaid, he shall forfeit and pay five hundred dollars, to be recovered by the said consul, vice-consul, commercial agent, or vice-commercial agent, in his own name, for the benefit of the United States, in any court of competent jurisdiction; and it shall be the duty of such consul, vice-consul, commercial agent, or vice-commercial agent, on such master or commander producing to him a clearance from the proper officer of the port, where his ship or vessel may be, to deliver to the said master or commander all of his said papers: *Provided*, such master or commander shall have complied with the provisions contained in this act, and those of the act to which this is a supplement.

Acts to be done upon the discharge of American seamen in foreign ports.

Sec. 3. *And be it further enacted*, That whenever a ship or vessel belonging to a citizen of the United States, shall be sold in a foreign country, and her company discharged, or when a seaman or mariner, a citizen of the United States, shall, with his own consent, be discharged in a foreign country, it shall be the duty of the master or commander to produce to the consul, vice-consul, commercial agent, or vice-commercial agent, the list of his ship's company, certified as aforesaid; and to pay to such consul, vice-consul, commercial agent, or vice-commercial agent, for every seaman or mariner so discharged, being designated on such list as a citizen of the United States, three months pay, over and above the wages which may then be due to such mariner or seaman, two thirds thereof to be paid by such consul, or commercial agent, to each seaman or mariner

so discharged, upon his engagement on board of any vessel to return to the United States, and the other remaining third to be retained for the purpose of creating a fund for the payment of the passages of seamen or mariners, citizens of the United States, who may be desirous of returning to the United States, and for the maintenance of American seamen who may be destitute, and may be in such foreign port, and the several sums retained for such fund shall be accounted for with the treasury every six months by the persons receiving the same.

Sec. 4. *And be it further enacted*, That it shall be the duty of the consuls, vice-consuls, commercial agents, vice commercial agents of the United States, from time to time to provide for the mariners and seamen of the United States, who may be found destitute within their districts respectively, sufficient subsistence and passages to some port in the United States, in the most reasonable manner, at the expense of the United States, subject to such instructions as the Secretary of State shall give; and that all masters and commanders of vessels belonging to citizens of the United States, and bound to some port of the same are hereby required and enjoined to take on board such mariners or seamen on board of their ships or vessels, at the request of the said consuls, vice-consuls, commercial agents or vice-commercial agents respectively, and to transport them to the port in the United States to which such ships or vessels may be bound, on such terms not exceeding ten dollars for each person, as may be agreed between the said master and consul, or commercial agent. And the said mariners or seamen

Consuls, &c to provide for destitute seamen, &c. subsistence and passages to the United States, subject to the instructions of the Secretary of State.

Commanders of Vessels required to take on board if not more than two to every hundred tons.

On terms not exceeding 10 dollars each.

Seamen, &c. to do duty if able.

shall, if able, be bound to do duty on board such ships or vessels according to their several abilities; *Provided*, That no master or captain of any ship or vessel shall be obliged to take a greater number than two men to every one hundred tons burthen of the said ship or vessel, on any one voyage; and if any such captain or master shall refuse the same on the request or order of the consul, vice-consul, commercial agent or vice-commercial agent, such captain or master shall forfeit and pay the sum of one hundred dollars for each mariner or seaman so refused, to be recovered for the benefit of the United States in any court of competent jurisdiction. And the certificate of any such consul or commercial agent, given under his hand and official seal, shall be *prima facie* evidence of such refusal in any court of law having jurisdiction for the recovery of the penalty aforesaid.

Penalty on the refusal of the captain or master.

Seventh and eighth sections of the act concerning consuls and vice-consuls repealed.

Sec. 5. *And be it further enacted*, That the seventh and eighth section of the act, intitled, "An act concerning consuls and vice-consuls," be and the same are hereby repealed; and that the Secretary of State be authorised to reimburse the consuls, vice-consuls, commercial agents or vice-commercial agents, such reasonable sums as they may heretofore have advanced for the relief of seamen, though the same should exceed the rate of twelve cents a man per diem.

Secretary of State to reimburse the consuls, &c.

Consuls, &c. may receive fifty cents for every certificate of discharge and 2 1-2 per cent. on paying and receiving the wages of discharged seamen in foreign ports.

Sec. 6. *And be it further enacted*, That it shall and may be lawful for every consul, vice-consul, commercial agent and vice-commercial agent of the United States, to take and receive for every certificate of discharge of any seaman or mariner in a foreign port fifty cents; and for commission on paying and receiving the amount of wages payable on the

discharge of seamen in foreign ports, two and a half per centum.

Sec. 7. *And be it further enacted*, That if any consul, vice-consul, commercial agent, or vice-commercial agent, shall falsely and knowingly certify, that property belonging to foreigners is property belonging to citizens of the United States, he shall on conviction thereof, in any court of competent jurisdiction, forfeit and pay a fine not exceeding ten thousand dollars, at the discretion of the court, and be imprisoned for any term not exceeding three years.

Consuls, &c. giving false certificates subject to fine and imprisonment.

Sec. 8. *And be it further enacted*, That if any consul, vice-consul, commercial agent or vice-commercial agent, shall grant a passport or other paper certifying that any alien, knowing him or her to be such, is a citizen of the United States, he shall on conviction thereof, in any court of competent jurisdiction, forfeit and pay a fine not exceeding one thousand dollars.

If for false passport, &c. subject to fines.

Sec. 9. *And be it further enacted*, That all powers of attorney executed after the thirtieth day of June next in a foreign country for the transfer of any stock of the United States, or for the receipt of interest thereon, shall be verified by the certificate and seal of a consul, vice-consul, commercial agent, or vice-commercial agent, if any there be at the place where the same shall be executed, for which the person giving the certificate shall receive fifty cents.

Powers of attorney, &c. executed in foreign countries to be verified by consuls, &c. who may receive fifty cents on each.

NATHL. MACON,

Speaker of the House of Representatives.

A. BURR,

*Vice President of the United States, and
President of the Senate.*

February 23, 1805.

APPROVED.

TH: JEFFERSON.

CHAPTER LXIII.

An ACT to prevent the importation of certain persons into certain states, where, by the laws thereof, their admission is prohibited.

Prohibited importation of persons of color subject to a fine of one thousand dollars for each.

BE it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That from and after the first day of April next, no master or captain of any ship or vessel, or any other person, shall import or bring, or cause to be imported or brought, any negro, mulatto, or other person of color, not being a native, a citizen, or registered seaman of the United States, or seamen natives of countries beyond the Cape of Good-Hope, into any port or place of the United States, which port or place shall be situated in any state which by law has prohibited or shall prohibit the admission or importation of such negro, mulatto, or other person of color, and if any captain or master aforesaid, or any other person, shall import or bring, or cause to be imported or brought into any of the ports or places aforesaid, any of the persons whose admission or importation is prohibited, as aforesaid, he shall forfeit and pay the sum of one thousand dollars for each and every negro, mulatto, or other person of color aforesaid, brought or imported as aforesaid, to be sued for and recovered by action of debt, in any court of the United States; one half thereof to the use of the United States, the other half to any person or persons prosecuting for the penalty; and in any action

instituted for the recovery of the penalty aforesaid, the person or persons sued may be held to special bail: *Provided always*, That nothing contained in this act shall be construed to prohibit the admission of Indians.

Sec. 2. *And be it further enacted*, That no ship or vessel arriving in any of the said ports or places of the United States, and having on board any negro, mulatto, or other person of color, not being a native, a citizen, or registered seaman of the United States, or seamen natives of countries beyond the Cape of Good-Hope as aforesaid, shall be admitted to an entry. And if any such negro, mulatto, or other person of color, shall be landed from on board any ship or vessel, in any of the ports or places aforesaid, or on the coast of any state prohibiting the admission or importation, as aforesaid, the said ship or vessel, together with her tackle, apparel, and furniture, shall be forfeited to the United States, and one half of the nett proceeds of the sales on such forfeiture shall inure and be paid over to such person or persons on whose information the seizure on such forfeiture shall be made.

Sec. 3. *And be it further enacted*, That it shall be the duty of the collectors and other officers of the customs, and all other officers of the revenue of the United States, in the several ports or places situated as aforesaid, to notice and be governed by the provisions of the laws now existing, of the several states prohibiting the admission or importation of any negro, mulatto, or other person of color, as aforesaid. And they are hereby enjoined vigilantly to carry into effect the said laws of

No vessel containing prohibited persons of color admitted to an entry.

Vessel, &c. to be forfeited if any prohibited person of color be landed therefrom:

Collectors and other officers to be governed by the law of the state prohibiting persons of color.

said states, conformably to the provisions of this act; any law of the United States to the contrary notwithstanding.

NATHL. MACON,
Speaker of the House of Representatives.
A. B. RR,
*Vice-President of the United States, and
President of the Senate.*

February 28, 1803.

APPROVED.

TH: JEFFERSON.

CHAPTER LXIV.

An ACT to provide an additional armament for the protection of the seamen and commerce of the United States.

President au-
thorized to put
into service
four vessels of
sixteen guns
each.

BE it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the President of the United States be, and he hereby is authorised and empowered to cause to be built, or to be purchased, if the exigencies of the service shall require it) four vessels of war, to carry not exceeding sixteen guns each; to be armed, manned and fitted out for the protection of the seamen and commerce of the United States in the Mediterranean and adjacent seas, and for other purposes, as the public service may require.

Appropriation
for the above.

Sec. 2. *And be it further enacted* That the sum of ninety-six thousand dollars be, and hereby is, appropriated for the purpose aforesaid, out of any monies in the treasury of the United States, not otherwise appropriated.

President au-

Sec. 3. *And be it further enacted*, That the President of the United States be, and he is hereby authorised and empowered to cause

to be built, a number not exceeding fifteen gun boats, to be armed, manned and fitted out, and employed for such purposes as in his opinion the public service may require ; and that a sum not exceeding fifty thousand dollars be, and hereby is appropriated for this purpose out of any monies in the treasury of the United States not otherwise appropriated.

thorited to put
into service
fifteen gun
boats.

Appropriation
for the above.

NATHL. MACON,

Speaker of the House of Representatives.

A. BURR,

*Vice-President of the United States, and
President of the Senate*

February 28, 1803.

APPROVED.

TH: JEFFERSON.

CHAPTER LXV.

An ACT for extending the external commerce of the United States.

BE it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the sum of two thousand five hundred dollars be, and the same is hereby appropriated for the purpose of extending the external commerce of the United States, to be paid out of any money in the treasury not otherwise appropriated.

NATHL. MACON,

Speaker of the House of Representatives.

A. BURR,

*Vice-President of the United States, and
President of the Senate.*

February 28, 1803.

APPROVED.

TH: JEFFERSON.

CHAPTER LXVI.

An ACT in addition to an act, intituled " An act fixing the military peace establishment of the United States."

Two teachers of music added to the artillery.

BE it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That there be added to the regiment of artillery, two teachers of music, whose pay, rations and cloathing shall be the same as is by law allowed to the teachers of music in the regiments of infantry in the service of the United States.

A teacher of the French language and a teacher of drawing appointed to the corps of engineers.

Sec. 2. *And be it further enacted,* That the President of the United States be, and he is hereby authorised to appoint one teacher of the French language, and one teacher of drawing, to be attached to the corps of engineers, whose compensation shall not exceed the pay and emolument of a captain in the line of the army.

Authority to enlist one artificer and eighteen men.

Sec. 3. *And be it further enacted,* That the commanding officer of the corps of engineers, be authorised to enlist for a term, not less than three years, one artificer, and eighteen men, to aid in making practical experiments and for other purposes;—to receive the same pay, rations and cloathing as are allowed to the artificers and privates, in the army of the United States; and the same bounty when enlisted for five years; and to be subject to the rules and articles of war.

Clerk hire to certain officers of the army.

Sec. 4. *And be it further enacted,* That the President of the United States be, and he is hereby authorised to allow to the paymaster of the army, the adjutant and inspector of the army, and the military agent at Philadelphia, such sums, not exceeding, in the whole three

thousand dollars, for clerk hire, as their respective duties may, in his opinion, reasonably require.

NATHL. MACON,

Speaker of the House of Representatives.

A. BURR,

*Vice President of the United States, and
President of the Senate.*

February 28, 1803.

APPROVED.

TH: JEFFERSON.

CHAPTER LXVII.

An ACT for continuing in force a law, entitled "An act for establishing trading houses with the Indian Tribes."

BE it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That a law passed on the eighteenth day of April, in the year of our Lord one thousand seven hundred and ninety-six, intitled "An act for establishing trading houses with the Indian tribes," and which law was revived and continued by another, passed on the thirtieth day of April, in the year of our Lord, one thousand eight hundred and two, shall be, and the same is hereby farther continued for the term of two years, from the fourth day of March next, and from thence until the end of the next session of Congress.

NATHL. MACON,

Speaker of the House of Representatives.

A. BURR,

*Vice-President of the United States, and
President of the Senate.*

February 28, 1803.

APPROVED.

TH: JEFFERSON.

CHAPTER LXVIII.

An ACT in addition to an act intituled, " An act more effectually to provide for the National defence, by establishing an uniform Militia throughout the United States."

Adjutant general of the militia to make return for each regiment annually.

BE it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That it shall be the duty of the adjutant general of the militia in each state, to make return of the militia of the state to which he belongs, with their arms, accoutrements, and ammunition, agreeably to the directions of the act, to which this is an addition, to the President of the United States annually, on or before the first Monday in January in each year: and it shall be the duty of the Secretary of War, from time to time, to give such directions to the adjutant generals of the militia, as shall, in his opinion, be necessary to produce an uniformity in the said returns, and he shall lay an abstract of the same before Congress, on or before the first Monday of February, annually.

Citizen enrolled in the militia to be constantly provided with arms, &c.

Sec. 2. *And be it further enacted,* That every citizen duly enrolled in the militia, shall be constantly provided with arms, accoutrements, and ammunition, agreeably to the direction of the said act, from and after he shall be duly notified of his enrolment; and any notice or warning to the citizens so enrolled, to attend a company, battalion, or regimental muster, or training, which shall be according to the laws of the state in which it is given for that purpose, shall be deemed a legal notice of his enrolment.

Sec. 3. *And be it further enacted*, That in addition to the officers provided for by the said act, there shall be, to the militia of each state one quarter master general, to each brigade one quarter master of brigade, and to each regiment one chaplain.

Additional officers to the militia.

NATHL. MACON,

Speaker of the House of Representatives.

A. BURR,

Vice-President of the United States, and President of the Senate.

March 2, 1803.

APPROVED.

TH: JEFFERSON.

CHAPTER LXIX.

An ACT supplementary to the act intituled "An act providing passports for the ships and vessels of the United States."

BE it enacted, by the Senate and House of Representatives of the United States of America, in Congress assembled, That every unregistered ship or vessel owned by a citizen or citizens of the United States, and sailing with a sea-letter, going to any foreign country, shall, before she departs from the United States, at the request of the master, be furnished by the collector of the district where such vessel may be, with a passport of the form prescribed and established by the act to which this is a supplement, for which the master shall pay to the collector ten dollars, and be subject to the rules and conditions prescribed in the said act, for ships and vessels of the United States.

Unregistered vessels sailing with sea letters to be furnished with passports on paying ten dollars.

Unregistered vessels sailing to foreign countries to pay the time of clearing as vessels of the United States.

Sec. 2. *And be it further enacted, That there shall be paid on every such unregistered ship or vessel, sailing or trading to any foreign country, other than some port or place in America, for each and every voyage, the same sum at the time of clearing outwards, to be received and accounted for in the same manner as is by said act required in cases of ships and vessels of the United States.*

NATHL. MACON,
Speaker of the House of Representatives.
A. BURR,
Vice-President of the United States, and President of the Senate.

March 2, 1803.

APPROVED.
TH: JEFFERSON.

CHAPTER LXX.

An ACT making an appropriation for the support of the Navy of the United States, for the year one thousand eight hundred and three.

Specific appropriations for the navy of the United States.

BE it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That for defraying the expenses of the Navy of the United States, during the year one thousand eight hundred and three, and for making good deficiencies for the same, in the year one thousand eight hundred and two, the following sums, including therein the sum of one hundred thousand dollars already appropriated by the "act making a partial appropriation for the naval service during the year one thousand eight hundred and three," be, and they here-

by are respectively appropriated, that is to say;

For the pay and subsistence of the officers, and the pay of the seamen, two hundred and eighty-three thousand nine hundred and ninety-three dollars :

For provisions, one hundred and fifty-seven thousand three hundred and sixty dollars and twenty cents :

For medicines, instruments, hospital stores, and all expenses on account of the sick, seven thousand seven hundred dollars :

For the purchase of ordnance and other military stores, fifteen thousand dollars :

For the repairs of vessels, store rent, and other contingent expenses, one hundred and eighty-two thousand dollars.

For completing the contracts made for the timber, ordnance, and other materials for the seventy-four gun ships, including their transportation, &c. one hundred and fourteen thousand four hundred and twenty-five dollars.

For the expense of erection of sheds and navy yards, including docks and other improvements, the pay of superintendants, store keepers, clerks and labourers, forty-eight thousand seven hundred and forty-one dollars and thirty seven cents.

For the pay and subsistence of the marine corps, including provisions for those on shore, and forage for the staff, sixty-four thousand and ninety-five dollars and sixty cents.

For clothing and military stores for the same, sixteen thousand two hundred and twenty-three dollars and eighty-three cents.

For medicines, medical services, hospital stores, and all expenses on account of the sick of the marine corps, one thousand dollars.

Specific appropriation for the navy of the United States.

Specific appro-
priation for
the navy of the
United States.

For quarter master's and barrack master's stores, officers' travelling expenses, armourers' and carpenters' bills, and other contingent expenses, nine thousand four hundred and sixty-one dollars.

To make good deficiencies in the appropriations for the navy of the United States, in the year one thousand eight hundred and two, that is to say:

For pay and subsistence of the officers, the pay of the seamen, provisions repairs and expenses incurred in the year one thousand eight hundred and one, and which have been paid out of an appropriation made in the year one thousand eight hundred and two, including a deficiency for the service of the year one thousand eight hundred and two, one hundred and sixty-eight thousand four hundred and thirty-nine dollars and eighty-one cents.

For salaries of superintendants of navy yards, store keepers, and clerks, store rent, hire of laborers, &c. on account of expenses incurred in the year one thousand eight hundred and one, including a deficiency for the service of the year one thousand eight hundred and two, eight hundred and seventy-five dollars and sixty-eight cents.

For navy yards, docks and wharves, eleven thousand five hundred and thirty-five dollars and twenty-eight cents.

For medicines, medical services, and hospital stores for the marine corps, on account of expenses incurred in the year one thousand eight hundred and one, including a deficiency for the service of the year one thousand eight hundred and two, five hundred and ninety-six dollars and thirty-nine cents.

For marine barracks, on account of expenses incurred in the year one thousand eight

hundred and one, four hundred and one dollars and ninety-three cents

For the payment of a balance due the estate of John Habersham, late collector at Savannah, for naval materials ascertained at the treasury, for sundry payments made by him to John H. Morel, on the same account, including a commission on the said payments at one per cent. sixteen thousand nine hundred and forty-eight dollars and thirty-seven cents.

Payment to the estate of John Habersham for naval materials.

Sec. 2. *And be it further enacted*, That the several sums of money herein specifically appropriated and amounting together to the sum of one million and ninety-eight thousand seven hundred and ninety-seven dollars and forty six cents, shall be paid first out of the sum of one hundred thousand dollars already appropriated for the naval service during the year one thousand eight hundred and three, and secondly out of any monies in the treasury not otherwise appropriated.

Whence the appropriations are to be drawn.

NATHL. MACON,

Speaker of the House of Representatives.

A. BURR,

Vice President of the United States, and President of the Senate.

March 2, 1803.

APPROVED.

TH: JEFFERSON.

CHAPTER LXXI.

An ACT in addition to the act, intituled " An act concerning the registering and recording of ships and vessels of the United States," and to the act, intituled " An act to regulate the collection of duties on imports and tonnage."

BE it enacted by the Senate and House of Representatives of the United States of

Penalty on forging sea-letter, passport, &c. or using such.

America, in Congress assembled, That if any person shall knowingly make, utter, or publish any false sea letter, Mediterranean passport, or certificate of registry, or shall knowingly avail himself of any such Mediterranean passport, sea letter, or certificate of registry, he shall forfeit and pay a sum not exceeding five thousand dollars, to be recovered by action of debt, in the name of the United States, in any court of competent jurisdiction; and if an officer of the United States, he shall for ever thereafter be rendered incapable of holding any office of trust or profit, under the authority of the United States.

Officers disqualified thereby.

Comptroller of the treasury to cause blank certificates of registry to be provided with secret marks.

Sec. 2. And be it further enacted, That it shall be the duty of the comptroller of the Treasury, to cause to be provided, blank certificates of registry, with such water and other secret marks as he may direct, which marks shall be made known only to the collectors and their deputies, and to the consuls or commercial agents of the United States; and from and after the thirty-first day of December next, no certificate of registry shall be issued, except such as shall have been provided and marked as aforesaid; and the ships or vessels of the United States, which shall have been duly registered as such, shall be entitled to new certificates of registry (gratis) in exchange for their old certificates of registry: And it shall be the duty of the respective collectors, on the departure of any such ship or vessel, after the said thirty-first day of December, from the district to which such ship or vessel shall belong, to issue a new certificate accordingly, and to retain and deface the former certificate.

Which are to be exchanged (gratis) for old certificates of registry after the thirty first Decemr or eight on hundred and three.

Sec. 3. *And be it further enacted,* That when any ship or vessel, which has been, or which shall be registered pursuant to any law of the United States, shall whilst such ship or vessel is without the limits of the United States, be sold or transferred in whole or in part to a citizen or citizens of the United States, such ship or vessel on her first arrival in the United States thereafter, shall be entitled to all the privileges and benefits of a ship or vessel of the United States: *Provided,* That all the requisites of law, in order to the registry of ships or vessels, shall be complied with, and a new certificate of registry obtained for such ship or vessel, within three days from the time at which the master or other person having the charge or command of such ship or vessel, is required to make his final report upon her first arrival afterwards as aforesaid, agreeably to the thirtieth section of the act, passed on the second day of March, one thousand seven hundred and ninety-nine, entitled, "An act to regulate the collection of duties on imports and tonnage." And it shall be lawful to pay to the collector of the district within which such ship or vessel may arrive as aforesaid, the duties imposed by law on the tonnage of such ship or vessel, at any time within three days from the time at which the master or other person having the charge or command of such ship or vessel, is required to make his final report as aforesaid, any thing to the contrary in any former law notwithstanding: *Provided always,* That nothing herein contained shall be construed to repeal, or in any wise change the provisions, restrictions or limitations of any former act or acts, excepting so far as

A duly registered vessel sold out of the United States to a citizen, to have the benefit of a vessel of the U. S. under certain provisions.

the same shall be repugnant to the provisions of this act.

Power of the sec'y of the treasury to remove disabilities, extended.

Sec. 4. *And be it further enacted,* That the power vested in the secretary of the treasury, to remove disabilities incurred under the act to which this is a supplement, and under the act, entitled, "An act for enrolling and licensing ships or vessels, to be employed in the coasting trade and fisheries, and for regulating the same," shall extend to the remission of any foreign duties, which shall have been or shall be incurred by reason of such disabilities.

NATHL. MACON,

Speaker of the House of Representatives.

A. BURR,

*Vice President of the United States, and
President of the Senate.*

March 2, 1803.

APPROVED.

TH: JEFFERSON.

CHAPTER LXXII.

An ACT, making appropriations for the support of government, for the year one thousand eight hundred and three.

BE it enacted, by the Senate and House of Representatives of the United States of America, in Congress assembled, That for the expenditure of the civil list in the

the app-
ropriations.

present year, including the contingent expenses of the several departments and officers ; for the compensation of the several loan officers and their clerks, and for books and stationery for the same ; for the payment of annuities and grants ; for the support of the mint establishment ; for the expenses of intercourse with foreign nations ; for the support of light houses, beacons, buoys, and public piers ; and for satisfying certain miscellaneous claims, the following sums be, and hereby are appropriated ; that is to say :

For compensations granted by law to the members of the senate and house of representatives, their officers and attendants, estimating for sixty-two days continuance in the present session, and for twenty-seven days in the first session of the eighth Congress, one hundred and twenty-five thousand three hundred and forty-eight dollars :

For the expense of fire wood, stationery, printing, and all other contingent expenses of the two houses of Congress, nineteen thousand dollars :

For the compensation to the President and Vice-President of the United States, thirty thousand dollars :

For compensation to the secretary of state, clerks, and persons employed in that department, eleven thousand three hundred and sixty dollars :

For the incidental and contingent expenses in the said department, twelve thousand nine hundred and fifty dollars :

For compensation to the secretary of the treasury, clerks and persons employed in his office, eleven thousand two hundred and forty-nine dollars, and eighty-one cents :

Specific ap-
propriations.

For expenses of translating foreign languages, allowance to the person employed in receiving and transmitting passports and sea-letters, stationery and printing, eight hundred dollars :

For compensation to the comptroller of the treasury, clerks and persons employed in his office, twelve thousand nine hundred and seventy-seven dollars and eight cents :

For expense of stationery and printing in the comptroller's office, eight hundred dollars :

For compensation to the auditor of the treasury, clerks and persons employed in his office, twelve thousand two hundred and twenty dollars and ninety-three cents :

For expense of stationery and printing in the office of the auditor, five hundred dollars :

For compensation to the treasurer, clerks and persons employed in his office, six thousand two hundred and twenty-seven dollars and forty-five cents :

For expense of stationery and printing in the treasurer's office, three hundred dollars :

For compensation to the commissioner of the revenue, clerks and persons employed in his office, six thousand two hundred and fifty-three dollars and six cents :

For the expense of stationery and printing in the office of the commissioner of the revenue, four hundred dollars :

For compensation to the register of the treasury, clerks and persons employed in his office, sixteen thousand and fifty-two dollars :

For expense of stationery and printing, (including books for the public stocks, and for the arrangement of the marine papers) in

the register's office, two thousand eight hundred dollars : Specific ap-
propriations.

For compensation to the secretary of the commissioners of the sinking fund, two hundred and fifty dollars :

For compensation of clerks employed for the purpose of making drafts of the several surveys of lands in the territory of the United States north west of the river Ohio, and in keeping the books of the treasury in relation to the sales of lands at the several loan offices, two thousand dollars :

For fuel, and other contingent expenses of the treasury department, four thousand dollars :

For defraying the expense incident to the stating and printing the public accounts for the year one thousand eight hundred and three, one thousand two hundred dollars :

For the purchase of books, maps and charts, for the use of the treasury department, four hundred dollars :

For compensation to a superintendant employed to secure the buildings and records in the treasury department, during the present year, including the expense of two watchmen, and for the repair of fire engines, buckets, &c. one thousand four hundred dollars :

For compensation to the secretary of war, clerks and persons employed in his office, eleven thousand two hundred and fifty dollars :

For expenses of fuel, stationery, printing and other contingent expenses in the office of the secretary of war, one thousand dollars :

For compensation to the accountant of the war department, clerks and persons employed

Specific ap-
propriations.

in his office, ten thousand nine hundred and ten dollars :

For contingent expenses in the office of the accountant of the war department, one thousand dollars :

For compensation of clerks employed in the paymaster's office, one thousand eight hundred dollars :

For fuel in the said office, ninety dollars :

For compensation to the purveyor of public supplies, clerks and persons employed in his office, including a sum of seven hundred dollars, for compensations to his clerks, in addition to the sum allowed by the act of the second day of March, one thousand seven hundred and ninety-nine, and for expense of stationery and fuel in the said office, three thousand eight hundred dollars :

For compensation to the secretary of the navy, clerks and persons employed in his office, including a compensation of five hundred and sixty-one dollars and fourteen cents to the clerk of the navy pension fund for the years one thousand eight hundred, one thousand eight hundred and one, and one thousand eight hundred and two, nine thousand six hundred and seventy-one dollars and fourteen cents :

For expense of fuel, stationery, printing and other contingent expenses in the office of the secretary of the navy, two thousand seven hundred dollars :

For compensation to the accountant of the navy, clerks and persons employed in his office, including the sum of one thousand one hundred dollars, for compensation to his clerks, in addition to the sum allowed by the act of the second of March, one thousand

seven hundred and ninety-nine, ten thousand four hundred dollars : Specific appropriations.

For contingent expenses in the office of the accountant of the navy, seven hundred and fifty dollars :

For compensation to the post-master general, assistant post-master general, clerks and persons employed in the post-master general's office, including a deficiency of three hundred and forty-five dollars in the last year's appropriation, and a sum of three thousand seven hundred and ninety-five dollars for compensation to his clerks, in addition to the sum allowed by the act of the second of March, one thousand seven hundred and ninety-nine, thirteen thousand five hundred dollars :

For expenses of fuel, candles, rent of a house for the messenger, stationery, chests, &c. exclusive of expenses of prosecution, portmanteaus, mail locks, and other expenses incident to the department at large, (these being paid for by the post-master general, out of the funds of the office,) two thousand dollars :

For compensation to the several loan officers, thirteen thousand two hundred and fifty dollars :

For compensation to the clerks of the commissioners of loans, and an allowance to certain loan officers, in lieu of clerk hire, and to defray the authorized expenses of the several loan offices, thirteen thousand dollars :

For defraying the expense of clerk hire in the office of the commissioner of loans for the state of Pennsylvania, in consequence of the removal of the offices of the treasury de-

Specific ap-
propriations.

partment, in the year one thousand eight hundred, to the permanent seat of government, two thousand dollars :

For extra expenses occasioned by the removal of the loan office of Pennsylvania to Germantown, during the prevalence of the yellow fever in Philadelphia, in the summer of one thousand eight hundred and two, four hundred and ninety-four dollars :

For extra expenses occasioned by the removal of the office of purveyor of public supplies from Philadelphia, during the prevalence of the yellow fever in the year one thousand eight hundred and two, one hundred and thirteen dollars and fifty cents :

For compensation to the surveyor general and the clerks employed by him, and for expense of stationary and other contingencies of the surveyor general's office, three thousand two hundred dollars :

For completing certain surveys of the lands of the United States, authorized by acts of Congress, including an allowance of five hundred dollars for transcribing plats of surveys near Vincennes, six thousand five hundred and forty-three dollars ;

For compensation to the following officers of the mint, ten thousand six hundred dollars, that is to say—

To the director, two thousand dollars :

The treasurer, one thousand two hundred dollars :

The assayer, one thousand five hundred dollars :

The chief coiner, one thousand five hundred dollars :

The melter and refiner, one thousand five hundred dollars :

The engraver, one thousand two hundred dollars : Specific appropriations.

One clerk, at seven hundred dollars :

And two, at five hundred dollars each :

For the wages of persons employed at the different branches of melting, coining, carpenter's, mill-wright's, and smith's work, including the sum of eight hundred dollars per annum, allowed to an assistant coiner and die forger, who also oversees the execution of the iron work, six thousand five hundred dollars :

For repairs of furnaces, cost of rollers and screws, timber, bar iron, lead, steel, pot ash, and for all other contingencies of the mint, two thousand nine hundred dollars :

For compensation to the governor, judges and secretary of the Mississippi territory, five thousand one hundred and fifty dollars :

For expenses of stationery, office rent, and other contingent expenses in the said territory, three hundred and fifty dollars :

For compensation to the governor, judges and secretary of the Indiana territory, five thousand one hundred and fifty dollars :

For expenses of stationery, office rent, and other contingent expenses in the said territory, three hundred and fifty dollars :

For the discharge of such demands against the United States, on account of the civil department, not otherwise provided for, as shall have been admitted in a due course of settlement at the treasury, and which are of a nature according to the usage thereof, to require payment in specie, two thousand dollars :

For additional compensation to the clerks of the several departments of state, treasury,

Specific ap-
propriations.

war and navy, and of the general post office, not exceeding for each department, respectively, fifteen per centum, in addition to the sums allowed by the act, intituled, "An act to regulate and fix the compensation of clerks," eleven thousand eight hundred and eighty five dollars :

For the compensation granted by law to the chief justice, associate judges, and district judges of the United States, including the chief justice and two associate judges of the district of Columbia, and to the attorney general, fifty-two thousand nine hundred dollars :

For the like compensations granted to the several district attorneys of the United States, two thousand eight hundred dollars :

For compensation to the marshals of the districts of Maine, New Hampshire, Vermont, Kentucky, east and west Tennessee, and Ohio, one thousand four hundred dollars :

For defraying the expenses of the supreme, circuit, and district courts of the United States, including the district of Columbia, and of jurors and witnesses, in aid of the funds arising from fines, forfeitures and penalties ; and likewise, for defraying the expenses of prosecution for offences against the United States, and for safe keeping of prisoners, including an additional appropriation of three thousand seven hundred and two dollars and sixty-six cents, for completing the goal in the city of Washington, forty-three thousand seven hundred and two dollars and sixty-six cents :

For the payment of sundry pensions granted by the late government, nine hundred dollars :

For payment of the annuity granted to the children of the late colonel John Harding, and major Alexander Trueman, by an act of Congress passed the fourteenth of May, one thousand eight hundred, six hundred dollars : Specific appropriations.

For payment of the annual allowance to the invalid pensioners of the United States, from the fifth of March, one thousand eight hundred and three, to the fourth of March, one thousand eight hundred and four, ninety-three thousand dollars :

For the maintenance and support of light-houses, beacons, buoys and public piers, and stakeage of channels, bars and shoals, and for occasional improvement in the construction of lanterns and lamps, and other contingent expenses, fifty thousand nine hundred and seventy dollars and eighty-two cents :

For re-building the light-house on the eastern end of New Castle island, in addition to the sum heretofore appropriated for that object, five hundred dollars :

For the erection of the light house on Smith's Point, in addition to the sum heretofore appropriated for that object, three hundred and fifty dollars :

For the payment of a balance due on contracts for building the light-house on Cape Hatteras, and beacon on Shell Castle island, and for a compensation to the persons who superintend and inspect the execution of the work, the balance of the former appropriation being carried to the credit of the surplus fund, one thousand dollars :

For the erecting of a light-house on New Point Comfort, in addition to the sum heretofore appropriated for that purpose, three thousand five hundred dollars :

Specific ap-
propriations.

For erecting light houses and placing buoys in the sound between Long Island and the Main, in addition to the sum heretofore appropriated for that purpose, one thousand dollars :

For the discharge of such miscellaneous demands against the United States, not otherwise provided for, as shall have been admitted in due course of settlement at the treasury, and which are of a nature, according to the usage thereof, to require payment in specie, four thousand dollars :

For the expenses of intercourse with foreign nations, seventy-five thousand five hundred and sixty-two dollars :

For the salaries of the commissioners under the seventh article of the treaty of amity, commerce, and navigation, between the United States and Great Britain, including half the compensation of the fifth commissioner, the salary of the assessor to the commissioners, the half of expenses of the board, and the contingent expenses of the commissioners of the United States, twenty five thousand five hundred and sixty-six dollars and sixty-seven cents :

For salaries of the agents of the United States in London and Paris, expenses of prosecuting claims and appeals in the courts of Great Britain, relative to captures of the vessels of the United States, and of defending American causes elsewhere, twenty-nine thousand dollars :

For intercourse between the United States and Algiers, and other Barbary powers, one hundred thousand dollars :

For the relief and protection of distressed American seamen, five thousand dollars.

Sec. 2. *And be it further enacted, That* Specific ap-
propriation. for the purpose of obtaining further cessions of land from the Indian tribes, the sum of ten thousand dollars be, and the same is hereby appropriated.

Sec. 3. *And be it further enacted, That* the several appropriations herein before made, shall be paid and discharged out of the fund of six hundred thousand dollars, reserved by the act "making provision for the debt of the United States," and out of any money which may be in the treasury, not otherwise appropriated.

NATH^L. MACON,

Speaker of the House of Representatives.

STEPHEN R. BRADLEY,

President of the Senate, pro tempore.

March 2d, 1803.

APPROVED,

TH: JEFFERSON.

CHAPTER LXXIII.

An ACT, more effectually to provide for the organization of the militia of the district of Columbia.

BE it enacted, by the Senate and House of Representatives of the United States of America, in Congress assembled, That it shall and may be lawful for the President of the United States, whenever an increase Militia of Co-
lumbia may
be organized
by President
of U. S.

of the militia of the territory, or other circumstance, shall in his opinion make it necessary, to lay off the said militia into additional companies, battalions, regiments, or legions and brigades, and shall appoint and commission, during pleasure, the proper officers for the same.

May appoint officers to cavalry, artillery, &c.

Sec. 2. *And be it further enacted,* That the President of the United States shall, when he may deem it necessary, appoint the proper officers, to compose at least one troop of cavalry, one company of artillery, one company of light infantry, and one company of grenadiers or riflemen, to each legion, which officers shall proceed by voluntary enlistment, within their legion, to complete their company or companies with the least possible delay, and every person belonging to the said companies shall wear, while on duty, such caps, or hats, and uniforms, to be purchased at their own expense, as the commanding officer of the brigade, to which they belong, shall determine on and direct; and the said companies shall perform the same routine of duty, and be subject to the same rules, regulations, penalties, and orders, as the rest of the militia; the President may, nevertheless, order them, or any of them, out on duty, as occasion, in his opinion, may require, by entire companies: that no person belonging to any battalion company, shall, under color of enlisting into any company to be made up by voluntary enrolment, be excused from doing duty in the infantry, and in the company in which he had been enrolled, or might be enrolled, until he shall have equipped himself for service, in such volunteer company, according to law, and shall have produced a

Uniform how to be provided.

Conditions of enrolment.

certificate thereof, from the commanding officer of such company, to the commanding officer of the battalion company, to which he did or might properly belong ; and no person having enlisted in any volunteer company, shall be permitted to withdraw himself from the same, under the penalty of ten dollars, unless in case of removal from his legionary district, to be recovered as other fines imposed by this act, upon the evidence of the commanding officer of the company, from which he shall so withdraw ; which commanding officer shall return all such cases to the first battalion court of enquiry, that shall sit thereafter. And the commanders of the respective legions shall direct by order, to the different commanders of battalions, to what battalions the different volunteer companies shall be attached, and shall parade with on battalion duty ; and shall direct how they shall be posted on legionary parades, unless differently ordered by the brigadier general.

Whence they cannot withdraw.

Penalty.

Legionary commanders—
—their duty.

Sec. 3. *And be it further enacted,* That where any battalion or company districts, or alteration in districts actually laid off, may hereafter be found necessary, the commanding officers of legions shall assemble the commanding officers of battalions and companies at some fit and convenient place, and may proceed to lay off or alter any such battalion or company districts, which districts shall in all cases be designated by certain lines and bounds, and recorded by the clerks of the respective courts of enquiry.

Alterations in what cases to be made.

Militia districts—how designated.

Sec. 4. *And be it further enacted,* That it shall be the duty of the commanding officers of the companies to proceed forthwith to divide their companies into divisions by

Commanding officers of companies shall regulate duty, & how.

ballot, from one to ten, for the purpose of a regular routine of duty when called into actual service, and to return a roster of each division, and its number or rotation, within fifteen days thereafter, to the commanding officer of his battalion, who shall forthwith transmit the same to the commanding officer of the regiment or legion, who shall direct the same to be recorded by the clerk of the court of enquiry. The same regulations shall be observed by every commanding officer of a company, battalion, and legion or regiment, on the subsequent enrolment of any person therein, unless such person shall produce a certificate of his having been before drawn for the above purpose, in which case he shall be enrolled accordingly; and any militia man removing out of the bounds of one company into another, shall apply to the commanding officer of the company to which he did belong, who shall give him a discharge, certifying the class wherein he was arranged, and whether he had performed his tour of duty or not, and also the time and date of such service, which certificate the said militia man shall produce to the captain or commanding officer of the company into whose bounds he shall so have removed, within ten days after his settlement, and such officer is hereby required to enrol him in the numerical class specified therein, and every militia man so removing, and failing to produce such certificate, shall be arranged and enrolled in the class destined to perform the next tour of duty; and if any captain or commanding officer of a company shall refuse to grant such certificate upon application to him made for that purpose, he shall for such refusal, incur a penalty of thirty dollars to

Removal of militia-men how to be notified.

Certificates of service provided.

Penalty on refusal of certificate.

be assessed and applied as other fines imposed by this act.

Sec. 5. *And be it further enacted*, That each and every officer appointed, or who may hereafter be appointed, and commissioned, in manner aforesaid, shall, previous to entering on the execution of his office, take the following oath, (to be administered by a justice of the peace. or the court of the county in which such officer resides) to wit: " I

Officers shall be sworn into office.

do swear that I will support the constitution of the United States, and faithfully discharge the duties of _____ in the _____ of the militia of the district of Columbia, to the best of my skill and judgment; so help me God." If the said oath be administered by a justice of the peace, it shall be his duty to certify the same to the court of his respective county, there to be entered of record by the clerk.

Oath.

Oath how certified.

Sec. 6. *And be it further enacted*, That the commanding officers of companies shall enrol every able bodied white male, between the ages of eighteen and forty-five years, (except such as are exempt from military duty by the laws of the United States) resident within his district; and that in all cases of doubt, respecting the age of any person enrolled or intended to be enrolled in any company, the party questioned shall prove his age to the satisfaction of the legionary court of enquiry, within whose bounds he may reside; and it shall at all times hereafter be the duty of every such captain or commanding officer of a company, to enrol every such white male, as aforesaid, and all those who shall, from time to time, arrive at the age of eighteen years, or being of the age of eigh-

Who shall be enrolled in militia.

teen years, and under the age of forty-five years, (except as before excepted,) shall come to reside within his bounds, and shall, without delay, notify such person of the said enrolment, by a proper non-commissioned officer, by whom such notice may be proved.

Mode of proceeding against delinquents.

Genl courts martial how constituted for superior officers.

Field officers and staff.

Their powers.

Sec. 7. *And be it further enacted,* That the President of the United States, upon complaint for misconduct, lodged with the department of war, in writing, by any one or more commissioned officers, may at his discretion cause to be arrested, any major general or brigadier general, and order a court martial to be composed of all the other general officers, field officers, and captains, or so many of them (having regard to seniority) as shall amount to thirteen, in the militia of the territory; which court martial shall proceed in the same way, and under the same restrictions, as is hereafter provided for the trial of field officers. And any major general or brigadier general, for misconduct within their own knowledge, or upon complaint lodged in writing, by any commissioned officer, shall have power to arrest any lieutenant colonel commandant, aid-de-camp, brigade inspector, and major, or any other inferior officer; and the commanding officer of the division or brigade, shall order a court martial, for the trial of such lieutenant colonel commandant, aid-de-camp, brigade inspector, to be composed of one brigadier general, and as many lieutenant colonel commandants, majors, and captains, as shall make up a number not less than thirteen; and such courts martial shall proceed to hear and determine on all offences under this act, and may censure or cashier such officer; which sentence shall

be final, when approved by the President of the United States. And any brigadier general, lieutenant colonel commandant, or major, for misconduct in any captain or subaltern, within his own knowledge, or upon complaint lodged in writing, by any commissioned officer, may arrest such captain or subaltern; and the brigadier or commanding officer of the brigade, shall order a brigade court martial, for the trial of such captain or subaltern, to be composed of one or more field officers, and a sufficient number of captains and subalterns, to make up a number not less than thirteen; and such courts martial shall proceed to hear and determine on all offences under this act, and may censure or cashier any officer so tried; which sentence shall be final, when approved by the President of the United States. And for obtaining the necessary evidences for the trials aforesaid, the President of the United States, or the presiding officer of the court martial, (as the case may be) shall issue his summonses; and every person so summoned, failing to attend and to give evidence, shall be subject to, and may be tried by a court martial; and if an officer, may at the discretion of a court martial, be cashiered, or fined, not exceeding six months pay, as by law allowed; and if a non-commissioned officer, or soldier, or a person not enrolled, to be reported to the court of enquiry of the regiment, or legion, to which he shall belong, or within whose bounds he shall reside, and be then subject to such fines and penalties as they may think proper to inflict, not exceeding forty dollars.

Captains and subalterns.

Brigade court martial.

Evidence how to be obtained.

Penalties.

Courts of enquiry.

When and how held.

Oath of members.

Legionary courts of enquiry.

Extraordinary court.

Sec. 8. *And be it further enacted*, That there shall be battalion courts of enquiry, to be appointed by the commanding officer of the battalion, for the assessment of fines incurred under this act, in such battalion ; and such courts of enquiry shall be held in the months of May, August, and November, in each year, at some convenient place within the county, to consist of the commanding officer of the battalion, and the commanding officers of companies, which shall belong, or to be attached to such battalion, or a majority of them, who shall take the following oath, to be administered by the presiding officer, and afterwards by any other officer of the court, to him: “ I will truly and faithfully enquire into all delinquencies which appear on the returns, to be laid before me, and will assess the fines thereon, as shall seem just, without favor, partiality, or affection, so help me God ;” the presiding officer shall then lay before the said court, all the delinquencies, as directed by law, whereupon, they shall proceed to hear and determine. And there shall, moreover, be legionary courts of enquiry, for the assessment of fines incurred by the officers of the legion, and for other duties, required by this act, such courts of enquiry shall be held by the appointment of the commanding officer of the legion, in not less than ten, and not more than twenty days, after the battalion courts of enquiry, in every year ; and moreover, one legionary court extraordinary, shall be, in like manner appointed, and held, during the month of March, in the present year, for the purpose of appointing the company musters of the year, and for

appointing a clerk, provost marshal, and collector, as hereinafter directed, and for other duties, by this act prescribed; the said legionary courts of enquiry to consist of the commanding officers of the legion, battalions, and companies, or a majority of them, who shall take an oath, in manner and form, as prescribed above; the commanding officer of the legion, shall then lay before the said court, all delinquencies, directed by law, whereupon they shall proceed to hear and determine. It shall be the duty of the presiding officer, of every such court of enquiry, to return to the next legionary court of enquiry, all delinquent officers, failing to attend the preceding court, to be proceeded against according to law. The legionary court of enquiry, may for good cause shewn, remit any fine imposed by the battalion court, last preceding; the said court, may also exempt any militia man from duty, on account of bodily infirmity, and may again direct such person to be enrolled, when able to do duty.

Duties of courts of enquiry.

May remit fines and exempt from duty.

Sec. 9. *And be it further enacted,* That the respective legionary courts of enquiry, shall annually appoint by ballot, a clerk, and provost marshal, who shall attend the courts herein before directed to be held; the clerk shall keep a fair record of the proceedings of such courts, as also of the roster returned by the several captains or commanding officers of companies, for regular routine of duty, and shall make out for the collector, a fair list of all the fines assessed by the legionary and battalion courts, and one other list which shall be retained by the clerk, on which list the collector's receipts shall be taken: the said lists shall be made out and delivered to the col-

Clerk and provost marshal, shall be appointed by ballot.

List of fines to be kept and by whom.

lector in fifteen days after each legionary court of enquiry, and shall perform all other duties required by this act, and together with the provost marshal, shall receive such allowance, to be paid out of the fines, as the legionary court shall think reasonable.

Fines incurred heretofore, how disposed of.

Sec. 10. *And be it further enacted*, That all fines incurred under the act of Congress, passed at their last session, empowering the President to organize the militia of the district of Columbia, and not then returned to the officers thereby authorized to collect the same, shall be returned to the first legionary court of enquiry which shall be held in the respective counties, to be by them proceeded with as in the case of fines by this act assessed.

Musters, and at what periods.

Sec. 11. *And be it further enacted*, That there shall be a muster of each troop of cavalry and company of militia, comprehending the companies made up by voluntary enrolment, once in every month, except the months of January, February, March, May, October, and December, in each year, to be appointed by the respective legionary courts of enquiry, at such places as may be deemed most convenient within the county, and that the time and place for the musters aforesaid, shall be fixed by the first legionary court of enquiry, which is held next after the passing of this act, subject to such changes as future legionary courts of enquiry may think proper; and there shall be a muster for exercise and inspection of each battalion, in the month of May, in every year, to be appointed by the commanding officer of the brigade, to which such battalions respectively belong, at such places as he may

Muster of inspection in May.

think proper within the county. There shall also be a muster of each legion in the month of October, in each year, to be appointed by the commanding officer of the brigade, to which such legion belongs, at such place as he may think most convenient within the legionary district; which said company, battalion, and legionary musters, shall continue one day, and no longer; the time and place of such legionary, company, and battalion musters, shall be notified to the commanding officers of legions, thirty days previous thereto; the commanding officers of legions shall give notice to the commanding officers of battalions, of such brigade, legionary companies, and battalion musters, at least twenty days; the commanding officers of battalions, to the commanding officers of companies, at least fifteen days; and the commanding officers of companies to their sergeants, at least ten days; and the sergeants to each person in his company, at least three days before such musters, respectively; the notices to be given by the commanding officers of brigades, legions, battalions, and companies shall be in writing, delivered to each person to be notified, or left at his usual place of abode, and every sergeant failing to give notice, agreeably to the orders of the commanding officer of his company, to each person therein, shall forfeit and pay for each and every offence, five dollars, to be assessed and recovered as other fines imposed by this act, nevertheless all notices publicly given by the commanding officers of companies, at their respective musters of any subsequent muster, shall be held and deemed as legal notice, as to all persons present at such mus-

Legionary muster in October.

Muster to continue one day only.

Notice how given, and when.

Notices in writing to commanding officers.

Penalty on omitting to give notice

Appearance
at muster.

ters. Every officer and soldier shall appear at his respective muster field, on the day appointed, by ten o'clock in the forenoon, armed and equipped. At every muster, the commanding officer of the company shall cause his roll to be called, and shall examine every person belonging thereto, and note down all delinquencies accruing therein, and shall personally inspect the arms, ammunition, and accoutrements, of all under his command, and make accurate return of the whole thereof, to the commanding officer of his battalion, in five days thereafter; and moreover, it shall be the duty of the commanding officers of companies, to have their companies respectively prepared, at the battalion musters, for inspection, by means of returns, the forms of which, to be furnished them by the brigade inspector, through the commanding officers of the legion and battalion, to which they respectively belong, which returns shall be filed, ready to be delivered to the inspector, as he shall commence the inspection of each company. And the commanding officers of legions and battalions, shall at their respective legionary and battalion musters, (as the case may be) take notice of all delinquent officers, and shall lay the same, together with returns of delinquencies, from the commanding officers of companies, before the courts of enquiry, appointed under this act to take cognizance of, and determine on them: and to each of the said returns, shall be annexed the following certificate, to wit; " I do certify, that the returns hereunto annexed, contain all the delinquencies which have occurred since my last return, having duly examined the same."

Forms to be
observed in
returns.

Returns to be
certified.

Sec. 12. *And be it further enacted,* That every commanding officer of a company shall, within five days after every battalion and legionary muster, make up and report to the commanding officer of his battalion, a return of his company, in such manner and form as shall be furnished by the adjutant, from time to time ; it shall be the duty of commanding officers of battalions, to make like returns to the commanding officers of legions, within five days thereafter, who shall cause the adjutant of his legion to make legionary returns to the brigade inspector, within ten days thereafter.

Returns of companies how & when made.

Returns of legions.

Sec. 13. *And be it further enacted,* That each captain or commanding officer of a company, shall appoint to his company, four sergeants, four corporals, a drummer, and fifer, to be approved of by the commanding officer of his battalion : the appointment of such non-commissioned officers to be evidenced by warrant under the hand of the commanding officer of the battalion ; and if any person so appointed and approved of, and having accepted, shall refuse or neglect to take upon him the duties of his appointment, or shall neglect or refuse to obey the orders of his superior officer, he shall for each offence forfeit and pay a sum, at the discretion of the court of enquiry, not exceeding ten dollars, to be assessed and applied as other fines imposed by this act ; and the commanding officers of battalions shall have power to reduce to the ranks any non-commissioned officer, whom, on complaint made, and due notice given, he shall find guilty of misconduct, or neglect of duty.

Non-commissioned officers appointment of.

Neglect of duty, penalty on.

Officers to meet for training once a year.

Sec. 14. *And be it further enacted,* That the commissioned officers of the several legions, shall meet once in every year, within their respective legionary districts, for the purpose of being trained and instructed by the brigade inspector; the days and places of meeting to be fixed on by the commanding officer of the brigade to which the legions belong; the officers thus assembled, shall each continue three days, and no longer; every time they are so called out, the eldest officer present shall call the roll on each day, and report the delinquencies to the succeeding legionary court of enquiry, and every officer failing to attend such meeting, on being summoned, not having a reasonable excuse, to be adjudged of by the court of enquiry, shall forfeit and pay, for each day he shall fail so to attend, ten dollars, to be appropriated as other fines are by this act.

Training three days—eldest officer shall call roll.

Penalty on non-attendance.

Misconduct of officers, how treated.

Sec. 15. *And be it further enacted,* That any officer who shall be guilty of disobedience, or other misbehaviour, when on duty, or shall at any time be guilty of any conduct, unbecoming the character of an officer, shall be put under arrest by his commanding officer, and tried as by this act is directed.

Non-commissioned officers how treated for misconduct.

Sec. 16. *And be it further enacted,* That if any non-commissioned officer or soldier, shall behave himself disobediently, or mutinously, when on duty, or before any court or board, directed by this act to be held, or shall leave the ranks without permission of his officer, on any occasion of parading the company to which he belongs, or appear drunk, or use any reproachful or abusive language to his officers, or any of them, or shall quarrel himself, or promote any quarrel

among his fellow soldiers, the court or board may confine him for the day, or he shall be disarmed and put under guard, by order of the commanding officer present, until the company is dismissed, as the case may be. And he shall moreover, be fined at the discretion of the court of enquiry, in any sum not exceeding ten dollars, nor less than one dollar, to be appropriated as other fines imposed by this act. Penalty.

Sec. 17. *And be it further enacted,* That if any bystander shall interrupt, molest, or insult any officer or soldier, while on duty at any muster, or shall be guilty of like conduct before any court or board, the commanding officer, or such court or board, may cause him to be confined for the day. And that the commanding officer of each brigade, legion, battalion, or company, shall have power to fix certain limits to their respective parades, within which no spectator or bystander shall enter, without permission from the commanding officer, and if any person shall intrude or offend, he shall be liable to be confined during the day, in such manner as the commanding officer shall direct. Spectators or bystanders interrupting or insulting, liable to punishment.

Parade limits.

Sec. 18. *And be it further enacted,* That all commissioned officers are required to appear in full uniform when on duty, and on failure, shall forfeit and pay five dollars for each offence, to be assessed and appropriated as other fines imposed by this act. Officers on duty shall be in uniform.

Penalty.

Sec. 19. *And be it further enacted,* That a brigade inspector, to act as brigade major, and be commissioned with the rank of major, shall be appointed by the President of the United States, and the lieutenant colonel Brigade inspector.

Legionary
staff.

Duties of
brigade in-
spector.

Penalty on
neglect of
duty.

Adjutant, his
duty.

commandants are hereby authorized to appoint a legionary staff, to consist of one adjutant, one quarter master, one pay master, to be taken from the officers of the line, and one surgeon, one surgeons mate, and also, one serjeant major, one quarter master's serjeant, one drum major, and one file major, which appointments shall be evidenced by warrants under the hand of the lieutenant colonel commandant, and it shall be the duty of the brigade inspector, to attend the brigadier general when required, to receive and execute all orders necessary to carry into effect the provisions of this law, and to attend the annual training of the officers, and at the several legionary and battalion musters, and he shall inspect the several battalions belonging to his brigade, at their respective musters, and he shall take an accurate account, from personal inspection, of the quality of the arms and accoutrements, and whether the same are fit or unfit for service, and shall ascertain with precision the bores of muskets; and shall make annual returns in the month of June, of each year, of the state of the militia of the brigade to which he belongs, to the commanding officer of the brigade, to be by him reported to the President of the United States, and upon refusal or neglect, he shall be subject to a fine of thirty dollars, unless he can make a reasonable excuse to the commanding officer of the brigade. And it shall be the duty of the adjutant to attend and execute the orders of the commanding officer of his legion, necessary to carry into effect the provisions of this law, and to attend the legionary and battalion musters as also the meeting of the

officers within his legion, and upon refusal or neglect, he shall be subject to a fine not exceeding fifteen dollars, nor less than five dollars, at the discretion of the legionary court of enquiry, unless he can make a reasonable excuse to the commanding officer of his legion; and it shall further be the duty of the adjutant to assist generally in the necessary training of the militia, and he, together with the brigade inspector, shall be allowed such compensation as the legionary courts of enquiry may, from time to time, think reasonable, to be paid out of the funds arising from fines.

Penalty on neglect.

Sec. 20. *And be it further enacted,* That the following forfeitures and penalties shall be incurred for delinquencies, viz. By a lieutenant colonel commandant, or commanding officer of a legion, for failing to take an oath to summon any court or board, or failing to give notice of a brigade, legionary or battalion muster; to report delinquencies, to make returns of his legion, shall for each and every such offence or neglect, forfeit and pay a sum not exceeding seventy dollars; for failing to send into service any militia legally called for, three hundred dollars. By a major, for failing to take an oath, to attend any court or board, to give notice of any brigade, legionary, or battalion muster, to examine his battalion, to report delinquencies, or to make any return, he shall forfeit and pay for each offence and neglect, a sum not exceeding thirty dollars; for failing to call forth his battalion with due dispatch, any detachment of men or officers as shall be required from time to time by the commanding officer of his legion, or any

Delinquencies, forfeitures and penalties on.

Commanders of corps.

Major's neglect.

Captain's
neglect.

call from the President of the United States, one hundred and fifty dollars. By a captain, for failing to take an oath, to attend any court, to enrol his men, to give notice of a brigade, legionary, or battalion muster, to attend any muster armed, to cause his roll to be called, examine his company and report delinquencies, or to allot his company into divisions, from one to ten, for a regular rotine of duty, or to make any return as directed by this act, he shall forfeit and pay for each and every offence and neglect, a sum not exceeding twenty dollars ; failing to call forth such officers and men, as shall from time to time be legally called from his company, upon any call from the President of the United States, or failing on such occasions to repair to the place of rendezvous, he shall forfeit and pay seventy-five dollars. By a subaltern officer, for failing to take an oath, to attend any court or muster, armed as directed, for each and every such offence he shall forfeit and pay a sum, at the discretion of the court of enquiry, not exceeding ten dollars ; failing to repair to the place of rendezvous, armed as required, when ordered upon any call from the President, he shall forfeit and pay fifty dollars, to be adjudged of and determined by the respective legionary courts of enquiry.

Subaltern's
neglect.

Non-commissioned
officer's neglect.

By a non-commissioned officer or soldier, for failing to repair to his rendezvous when ordered upon any call from the President, he shall forfeit and pay a sum not exceeding fifty dollars, to be adjudged of and determined by the respective battalion courts of enquiry, and moreover shall be enrolled in the class destined to perform the next tour of duty : all officers failing as before mentioned, shall be

subject to be arrested, tried, censured, or cashiered, at the discretion of the battalion courts of enquiry. Any non-commissioned officer or soldier failing to attend at his brigade, legionary, battalion, or company muster, armed and equipped as the law directs, shall forfeit and pay a sum not less than seventy-five cents, nor more than five dollars, at the discretion of the battalion courts of enquiry. If any non-commissioned officer or private shall be returned as a delinquent in not appearing, armed and accoutred as the law directs, the court of enquiry before whom the same shall be tried, may, if it appear reasonable, remit the fine incurred by him, provided every such delinquent shall make it appear that he was unable to procure the legal equipment. Any private at or near the muster ground at any legionary, battalion, or company muster, who shall refuse or neglect to go into the ranks when required, shall forfeit and pay ten dollars.

Sec. 21. *And be it further enacted*, That the fines and penalties incurred by infants and apprentices, for the breach or neglect of their duty, in any particular service, by law required of them, shall be paid by the parent, guardian or master.

Penalties.
Fines of persons under age, how paid.

Sec. 22. *And be it further enacted*, That the legionary court of enquiry shall, at their first meeting in each year, appoint by ballot, a collector, who shall proceed to collect all fines assessed by virtue of this act, as also, all fines incurred under the act of Congress, at their last session, empowering the President to organize the militia of the district of Columbia, not previously sent out for collection, upon a list thereof, certified by the clerk

Legionary court of enquiry to appoint a collector, and when.

Allowance of
6 per cent.

Collector a
defaulter, to
be sued, and
how.

of the court of enquiry, and delivered to him in sixteen days after each legionary court of enquiry, who shall give his receipt therefor, and having deducted a commission of six per centum, shall account for, and pay the residue into the hands of the paymaster, in three months thereafter, and in case of default, to be recovered against the collector, by motion, in any court of record within said district, ten days notice of such motion being given to the collector, at the first legionary or regimental court of enquiry, after the time before limited, for accounting and paying to the paymaster as aforesaid, the fines collected by the collector, he shall make return, and report to said court of enquiry, of such fines as cannot be collected, by reason of the insolvency or want of effects of the delinquent or delinquents; and if the said collector shall fail to account for, and pay into the hands of the paymaster as aforesaid, in the time limited as aforesaid, all the residue of the fines by him collected as aforesaid, the whole amount of such fines, including his commission, shall be recovered against him, by motion, in any court of record within this district, ten days previous notice of such motion being given to said collector, and if such collector shall fail to make return and report as aforesaid, of such fines as he shall be unable to collect by reason of the causes aforesaid, or shall make a false return and report of the same, the whole amount of the same shall be recovered of said collector, in like manner as if he had actually collected the same. And should any person so charged with fines, fail to make payment when called on, the collector is hereby authorized to make distress

Fines not
paid, how re-
coverable.

and sale therefor. The collector shall, immediately after his appointment, and before he shall proceed to his collection, give bond and security for the faithful performance of his duty, in such penalty as the court of enquiry may think proper.

Collector to give bond and security.

Sec. 23. *And be it further enacted,* That the fines thus paid into the hands of the paymaster by virtue of this act, shall be held as a fund for defraying the salaries of the officers and other persons herein mentioned, and the maintenance and instruction, and pay of musicians, and of equipping and furnishing the militia with standards and musical instruments, and uniforms in certain cases, with every other thing necessary; to be adjudged and determined by the legionary courts of enquiry, and all accounts passed by the said court, and certified by the lieutenant colonel commandant, shall be sufficient to authorise the paymaster to pay the same; the paymaster shall keep a regular account of all monies received and disbursed by him on account of the legion, and shall once in every three months, render his accounts, and settle with the court of enquiry. The paymaster shall give bond and security, to be approved of by the court of enquiry, for the faithful performance of his duty, and shall be subject to the same mode of recovery for delinquency as is herein prescribed in the case of a delinquent collector, and shall be allowed a commission of two and an half per centum on the several sums by him disbursed.

Fines to be a fund for salaries of officers &c. also for furnishing the militia with equipage, &c.

Paymaster of the legion shall settle his accounts once in three months.

Shall give bond and security.

Two and a half per centum allowed on disbursements.

Sec. 24. *And be it further enacted,* That the President of the United States be authorised and empowered, on an invasion, or insurrection, or probable prospect thereof, to

President authorized to call forth the militia on an invasion or insurrection, &c.—

and to appoint
certain officers
with pay.

call forth such a number of militia, and from such county, and in such a manner, whether by rotine of duty or otherwise, as he may deem proper; and for the accommodation, equipment and support of the militia, so at any time to be called forth; the President of the United States may appoint such quarter masters, commissaries, and other staff, as to him shall seem proper, and to fix their pay and allowances, and shall also take such measures for procuring, transporting and issuing all orders which may be necessary. Orders for the militia to be called forth as aforesaid, shall be sent to the commanding officer of the district of Columbia, with a notification of the place or places of rendezvous, who shall immediately take measures for detaching the same, with the necessary number and ranks of officers, by detail and rotation of duty or otherwise, as he may be ordered. Whenever any militia shall be called forth into actual service as aforesaid, they shall be governed by the articles of war, which govern the troops of the United States. And courts martial shall be held as therein are directed, to be composed of militia officers only, for the trial of any person, in the militia, but to the cashiering of any officer, or capital punishment of any person, the approbation of the President of the United States shall be necessary; and when any militia shall be in actual service, they shall be allowed the same pay and rations as are allowed by law to the militia of the United States. If a sudden invasion shall be made into either county in this district, or in case of an insurrection in either county, the commanding officer of the militia of the district, or of such county, is hereby authorised and

Militia when
called forth
how governed.

Courts martial.

Pay and rations
of the militia.

Power of the
commanding
officer of the
district in case
of invasion or
insurrection.

required to order out the whole or such part of the militia, as he may think necessary, and in such manner as he may think best, for repelling or suppressing such invasion or insurrection: and shall call on the commanding officers of the adjacent counties for such aid as he may think necessary, who shall forthwith and in like manner furnish the same; and in the event of any militia ordered out by the commanding officer of a county, or of the district as herein authorised, such officer shall immediately notify the same, and the cause thereof, to the commanding officer of the district, or to the President of the United States, as the case may require.

Sec. 25. *And be it further enacted*, That all arms, ammunition, and equipments of militia, shall be exempted from executions and distress at all times, and their persons from arrests and process in civil cases, while going to, continuing at, or returning from musters and while in actual service.

Sec. 26. *And be it further enacted*, That the brigadier generals are hereby empowered and authorised to employ some person within their respective districts, to convey all orders from them to the commanding officers of corps, respecting the militia of the district of Columbia, who shall be exempt from all other militia duty, and shall receive such compensation, as the legionary court of enquiry, in which district such orders may from time to time be delivered, shall think proper, on his producing to the court a certificate of his having discharged the said services.

Sec. 27. *And be it further enacted*, That all non-commissioned officers and privates, belonging to battalion companies, shall ap-

Arms, &c. always except from execution, and persons from civil arrests while in service.

Brigadier generals may employ couriers.

Their compensation.

Non-commissioned officers and privates of battalions shall only appear in uniform.

pear while on duty, uniformly clothed, the color and fashion of which uniforms to be determined on for the respective legions, by the first legionary courts of enquiry which shall be held, and to be approved of by the brigadier general, provided the expense of the same, additional to that of usual, ordinary, and cheap clothing, does not exceed five dollars for each person; and every such non-commissioned officer, or drummer, or fifer, or private, appearing at any muster held after three months from the time that such uniforms shall have been determined on, and the order relative thereto shall have been published, in some newspaper within the legionary district, and not wearing the same, shall be fined five dollars for each offence; unless he can make it appear to the satisfaction of the court of enquiry of the battalion to which he may belong, that he was unable to equip himself.

or be fined.

Courts of enquiry may bind young men and boys to learn military music.

Sec. 28. *And be it further enacted,* That the respective courts of enquiry shall have power to cause to be bound for a term of years, to the several commandants of companies, battalions, and legions, and their successors in office, as the case may require, such number of boys and young men, with the consent of their parent or other person authorised, as they in their discretion may deem proper, for the purpose of being instructed in the different branches of military music, and of serving as musicians when they may be competent thereto, to the several companies, battalions, and legions; and the father of any youth who may be so bound, otherwise subject to be enrolled, shall be exempt from all duty in the militia, so long as his son so bound may continue to serve in the corps to

Their fathers exempt from militia duties.

which he would otherwise belong, as well during his apprenticeship as thereafter; and the several legionary courts of enquiry shall make provision from time to time for the clothing, maintenance, and the properly instructing all such youths, to be paid from the fund arising from the fines imposed by this act: and the commanding officers of legions, shall cause the drummers and fifers and other musicians of their respective legions, to meet at the same times and places that commissioned officers are required to meet, for the purpose of being trained by the brigade inspector, or other officer, there to be instructed in their respective branches of music, for which purpose the commanding officer of the legion may employ such person or persons as he may think proper and capable to instruct such drummers and fifers, and other musicians. The person so to be employed by the commanding officer of the legion, to be allowed such compensation as the legionary court of enquiry may authorise, and each drummer and fifer, and other musician, unless an apprentice, shall be allowed during the time they are convened, one dollar per day, to be paid out of the funds arising from fines.

Courts of enquiry to provide for the musicians.

Compensation.

Sec. 29. *And be it further enacted,* That the Secretary of war shall cause a sufficient number of copies of this law, together with the act of Congress, more effectually to provide for the national defence, by establishing an uniform militia throughout the United States; and the act of Congress for calling forth the militia to execute the laws of the union, suppress insurrections, and repel invasions; and the articles of war; to be printed and distributed throughout the territory of

Each commissioned officer to be furnished with the articles of war and militia law.

Columbia, so that every general and field officer therein, and every brigade inspector, and captain, be furnished with one copy each.

NATHL. MACON,

Speaker of the House of Representatives.

STEPHEN R. BRADLEY,

President of the Senate, pro tempore.

March 3, 1803.

APPROVED.

TH: JEFFERSON.

CHAPTER LXXIV.

An ACT in addition to and in modification of the propositions contained in the act, intituled "An act to enable the people of the Eastern division of the Territory Northwest of the river Ohio, to form a Constitution and state government, and for the admission of such state into the Union, on an equal footing with the original states, and for other purposes."

BE it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the following several tracts of land in the state of Ohio, be, and the same are hereby appropriated for the use of schools in that state, and shall, together with all the tracts of land heretofore appropriated for that purpose, be vested in the legislature of that state, in trust for the use aforesaid, and for no other use, intent or purpose whatever, that is to say :

First—The following quarter townships in that tract commonly called the "United States military tract," for the use of schools

Tracts of land appropriated for the use of schools.

within the same, viz. the first quarter of the third township in the first range, the first quarter of the first township in the fourth range, the fourth quarter of the first township and the third quarter of the fifth township in the fifth range, the second quarter of the third township in the sixth range, the fourth quarter of the second township in the seventh range, the third quarter of the third township in the eighth range, the first quarter of the first township and the first quarter of the third township in the ninth range, the third of the first township in the tenth range, the first and fourth quarters of the third township in the eleventh range, the fourth quarter of the fourth township in the twelfth range, the second and third quarters of the fourth township in the fifteenth range, the third quarter of the seventh township in the sixteenth range, and the first quarter of the sixth township and third quarter of the seventh township in the eighteenth range, being the one thirty-sixth part of the estimated whole amount of lands within that tract.

Secondly—The following quarter townships in the same tract for the use of schools in that tract commonly called the Connecticut reserve, viz. the third quarter of the ninth township and the fourth quarter of the tenth township in the first range, the first and second quarters of the ninth township in the second range, the second and third quarters of the ninth township in the third range, the first quarter of the ninth township and the fourth quarter of the tenth township in the fourth range, the first quarter of the ninth township in the fifth range, the first and fourth quarters of the ninth township in the sixth range, the

Tracts of land appropriated for the use of schools.

Tracts of land
appropriated
for the use of
schools.

first and third quarters of the ninth township in the seventh range, and the fourth quarter of the ninth township in the eighth range.

Thirdly—So much of that tract, commonly called the “Virginia military reservation,” as will amount to one thirty-sixth part of the whole tract, for the use of schools within the same, and to be selected by the legislature of the state of Ohio, out of the unlocated lands in that tract after the warrants issued from the state of Virginia shall have been satisfied; it being however understood, that the donation is not to exceed the whole amount of the above mentioned residue of such unlocated lands, even if it shall fall short of one thirty-sixth part of the said tract.

Fourthly—One thirty-sixth part of all the lands of the United States lying in the state of Ohio, to which the Indian title has not been extinguished, which may hereafter be purchased of the Indian tribes by the United States, which thirty sixth part shall consist of the section No. sixteen, in each township, if the said land shall be surveyed in townships of six miles square, and shall, if the lands be surveyed in a different manner, be designated by lots.

Appropriation
for public
roads in the
state of Ohio.

Sec. 2. *And be it further enacted*, That the Secretary of the Treasury shall, from time to time, and whenever the quarterly accounts of the receivers of public monies of the several land offices shall be settled, pay three per cent of the nett proceeds of the lands of the United States, lying within the state of Ohio, which since the thirtieth day of June last have been, or hereafter may be sold by the United States, after deducting all expenses incidental to the same, to such person or persons as may be

authorised by the legislature of the said state to receive the same, which sums thus paid, shall be applied to the laying out, opening and making roads within the said state, and to no other purpose whatever; and an annual account of the application of the same shall be transmitted to the Secretary of the Treasury, by such officer of the state as the legislature thereof shall direct: and it is hereby declared, that the payments thus to be made, as well as the several appropriations for schools made by the preceding section, are in conformity with, and in consideration of the conditions agreed on by the state of Ohio, by the ordinance of the convention of the said state, bearing date the twenty ninth day of November last.

Conditions—

Sec. 3. *And be it further enacted*, That the sections of land heretofore promised for the use of schools, in lieu of such of the sections, No. 16, as have been otherwise disposed of, shall be selected by the Secretary of the Treasury, out of the unappropriated reserved sections in the most contiguous townships.

Sections for
schools; selec-
tion of.

Sec. 4. *And be it further enacted*, That one complete township in the state of Ohio, and district of Cincinnati, or so much of any one complete township within the same, as may then remain unsold, together with as many adjoining sections as shall have been sold in the said township, so as to make in the whole thirty-six sections, to be located under the direction of the legislature of the said state, on or before the first day of October next, with the register of the land office of Cincinnati, be, and the same is hereby vested in the legislature of the state of Ohio, for the purpose of establishing an academy, in lieu of the township already granted for the same purpose,

Appropriation
for establishing
an academy—

by virtue of the act entitled, " An act authorising the grant and conveyance of certain lands to John Cleves Symmes, and his associates: *Provided, however,* that the same shall revert to the United States, if within five years after the passing of this act, a township shall have been secured for the said purpose, within the boundary of the patent granted by virtue of the above mentioned act, to John Cleves Symmes, and his associates.

Proviso.

Further provision for an academy.

Sec 5. *And be it further enacted,* That the attorney general for the time being, be directed and authorised to locate and accept from the said John Cleves Symmes, and his associates, any one complete township within the boundaries of the said patent, so as to secure the same for the purpose of establishing an academy, in conformity to the provisions of the said patent, and in case of non-compliance, to take, or direct to be taken, such measures as will compel an execution of the trust: *Provided, however,* That John Cleves Symmes and his associates, shall be released from the said trust, and the said township shall vest in them, or any of them, in fee simple, upon payment into the Treasury of the United States, of fifteen thousand three hundred and sixty dollars, with interest from the date of the above mentioned patent, to the day of such payment.

NATH^L. MACON,

Speaker of the House of Representatives.

STEPHEN R. BRADLEY,

President of the Senate, pro tempore.

March 3, 1803.

APPROVED.

TH: JEFFERSON.

CHAPTER LXXV.

An ACT for the relief of Moses White.

BE it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the proper accounting officers adjust and settle the claim of Moses White, for his additional pay and emoluments as aid-de-camp to brigadier general Moses Hazen, from the first day of August, one thousand seven hundred and eighty one, to the third day of November, one thousand seven hundred and eighty three, upon the same principles which have heretofore prevailed in the settlement of the accounts of aids-de-camp to brigadier generals in the line of the revolutionary army; and that they liquidate the same in like manner as though a final settlement certificate, in the customary form, had been issued therefor, when due.

NATHL. MACON,

Speaker of the House of Representatives.

A. BURR,

*Vice-President of the United States, and
President of the Senate.*

March 2, 1803.

APPROVED.

TH: JEFFERSON.

CHAPTER LXXVI.

An Act concerning the insurance of buildings, goods and furniture, in the county of Alexandria, in the territory of Columbia.

BE it enacted by the Senate and House of Representatives of the United States of

America, in Congress assembled, That the two incorporated bodies of the state of Virginia, the one known by the name of "The mutual assurance society against fire on buildings, in the state of Virginia;" the other called "a mutual insurance company against fire, on goods and furniture in the state of Virginia," or either of them hereafter making insurances on buildings, goods or furniture, situated in the county of Alexandria, in the district of Columbia, according to the laws, rules and regulations, by which the said societies are or may be respectively governed in their insurances in that state, may have the same right and mode of recovery, in the circuit court of the county of Alexandria, in the district of Columbia, against any person so insuring his building, furniture, or property, as the case may be, situated in the county aforesaid, with either of the said societies, which might have been had against him or her, if the person so insuring was resident, and the building, furniture, or property so insured, was situated in the state of Virginia.

NATHL. MACON,

Speaker of the House of Representatives.

STEPHEN R. BRADLEY,

President of the Senate, pro tempore.

March 5, 1803.

APPROVED.

TH: JEFFERSON.

CHAPTER LXXVII.

An ACT making appropriations for the Military establishment of the United States, in the year one thousand eight hundred and three.

BE it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That for defraying the several expenses of the military establishment of the United States, for the year one thousand eight hundred and three; for the Indian department, and for the erection of fortifications, the following sums be, and the same hereby are respectively appropriated, that is to say:

Specific appropriations.

For the pay of the army of the United States, two hundred and ninety-nine thousand one hundred and twenty-four dollars:

For forage, four thousand and fifty-six dollars:

For the subsistence of the officers of the army and the corps of engineers, twenty-nine thousand and eighty-six dollars and eighty-five cents:

For the subsistence of non-commissioned officers and privates, one hundred and fifty-four thousand five hundred and forty dollars and seventy-five cents:

For clothing, fifty-six thousand nine hundred and sixty dollars:

For bounties and premiums, eight thousand dollars:

For the medical and hospital department, ten thousand dollars:

For camp equipage, fuel, tools and transportation, and contingent expences, fifty-eight thousand dollars:

For fortifications, arsenals, magazines and

Specific appro-
priations —

armouries, one hundred and nine thousand six hundred and ninety-six dollars and eighty-eight cents :

For the Indian department, seventy-three thousand five hundred dollars :

For purchasing maps, plans, books and instruments for the department of war and the military academy, two thousand dollars :

For postage on letters on public service to and from the offices of the adjutant and inspector and paymaster of the army four thousand five hundred dollars :

Sec. 2. *And be it further enacted*, That a sum not exceeding twenty thousand dollars, including any unexpended balance of former appropriations for the same object be, and the same hereby is appropriated for defraying the expense of any treaty or treaties which may be held with the Indians: *Provided*, That the compensation to be allowed to any commissioner appointed or who may be appointed, for negotiating such treaties shall not exceed, exclusive of travelling expenses, the rate of eight dollars per day during the actual service of such commissioner.

Sec. 3. *And be it further enacted*, That the several appropriations herein before made shall be paid and discharged, first out of any balance remaining unexpended of former appropriations for the same objects respectively and secondly, out of any monies in the treasury not otherwise appropriated.

NATH. MACON,

Speaker of the House of Representatives

STEPHEN R. BRADLEY,

President of the Senate, pro tempore

March 3, 1866.

APPROVED.

TH. JEFFERSON.

CHAPTER LXXVIII.

An ACT for erecting a Light House at the entrance of Penobscot bay, or any other place in its vicinity, that may be deemed preferable by the Secretary of the Treasury.

BE it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That as soon as a cession shall be made by the state of Massachusetts to the United States, of the jurisdiction over the land proper for the purpose, the Secretary of the Treasury be and he is hereby authorised to purchase so much land as may be necessary, and provide by contract, to be approved by the President of the United States, for building a light house on White-head at the entrance of Penobscot bay, or any place in its vicinity, that may be deemed preferable by the Secretary of the Treasury, and to furnish the same with all necessary supplies; and also, to agree for the salaries or wages of the persons who may be appointed by the President for the superintendance and care of the same; and that the President be authorised to make the said appointments.

Sec. 2. *And be it further enacted,* That there be appropriated and paid out of the monies arising from imports and tonnage, the sum of seven thousand dollars for the purpose of erecting the light house as aforesaid.

NATH^l. MASON,

Speaker of the House of Representatives.

STEPHEN R. BRADLEY,

President of the Senate, pro tempore.

March 3, 1803.

APPROVED.

TH: JEFFERSON.

CHAPTER LXXIX.

An ACT to make Beaufort and Passamaquoddy, ports of entry and delivery; to make Easton, and Tiverton, ports of delivery; and to authorise the establishment of a new collection District on lake Ontario.

BE it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That from and after the last day of June next, a district shall be formed from the district of Newbern, in North Carolina, to be called the district of Beaufort, which shall include the town of Beaufort, and all the water and shore north and east of the said town, to Harbor Island, and all the water and shore south and west of the said town, to Dog Island, inclusive. And the town of Beaufort shall be the sole port of entry and delivery for the said district; and a collector for the said port shall be appointed, to reside and keep his office at the said town of Beaufort, who shall be intitled to receive, in addition to the fees and other emoluments established by law, the annual salary of two hundred dollars.

Sec. 2. *And be it further enacted,* That from and after the said thirtieth day of June, Easton, in the district of Oxford, in the state of Maryland, and Tiverton, in the district of Newport, and state of Rhode-Island, shall be ports of delivery, and a surveyor shall be appointed to each; each of whom shall be intitled to receive, in addition to the fees and emoluments already allowed by law, a salary of two hundred dollars per annum.

District of
Beaufort formed
from Newbern,
North Carolina.

Beaufort port
of entry—

Collector ap-
pointed.

Salary.

Easton, Mary-
land, and Ti-
verton, Rhode-
Island, ports of
delivery.
Surveyor to
each.

Salaries—

Sec. 3. *And be it further enacted, That it shall be lawful for the President of the United States, to establish when it shall appear to him to be proper, in addition to the port of entry and delivery already established on lake Ontario, one other port of entry and delivery on the said lake, or on the waters or rivers emptying therein, and to appoint a collector of the customs, to reside and keep an office thereat.*

Additional port of entry and delivery, on Lake Ontario.

With a collector.

Sec. 4. *And be it further enacted, That from and after the said thirtieth day of June next, such place within the district of Passamaquoddy, in the state of Massachusetts, as the Secretary of the Treasury may direct, shall be a port of entry and delivery, (at which place the collector shall reside) as well for foreign as for vessels of the United States.*

Port of entry and delivery in Passamaquoddy, Massachusetts.

NATHL. MACON,

Speaker of the House of Representatives.

STEPHEN R. BRADLEY,

President of the Senate, pro tempore.

March 5, 1803.

APPROVED.

TH: JEFFERSON.

CHAPTER LXXX.

An ACT regulating the grants of land, and providing for the disposal of the lands of the United States, south of the state of Tennessee.

BE it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That any person or persons, and the legal representa-

Residents in the Mississippi territory

confirmed in
their claims.

tives of any person or persons, who were resident in the Mississippi territory on the twenty seventh day of October, in the year one thousand seven hundred and ninety-five, and who had prior to that day obtained either from the British government of West Florida, or from the Spanish government, any warrant or order of survey for lands lying within the said territory, to which the Indian title had been extinguished, and which were on that day actually inhabited and cultivated by such person or persons, or for his or their use, shall be confirmed in their claims to such lands in the same manner as if their titles had been completed: *Provided however*, That no such incomplete title shall be confirmed, unless the person in whose name such warrant or order of survey had been granted, was at the time of its date either the head of a family, or above the age of twenty-one years.

Proviso—

Grant to non-
claimants

Sec. 2. *And be it further enacted*, That to every person, or to the legal representative or representatives of every person who, being either the head of a family, or of twenty one years of age, did on that day of the year seventeen hundred and ninety-seven, when the Mississippi territory was finally evacuated by the Spanish troops, actually inhabit and cultivate a tract of land in the said territory, not claimed by virtue either of the preceding section, or of any British grant, or of the articles of agreement and cession between the United States and the state of Georgia, the said tract of land thus inhabited and cultivated, shall be granted: *Provided however*, That not more than one tract shall be thus granted to any one person, and the same shall not contain more than six hundred and forty

Provisions

acres: *And provided also,* That this donation shall not be made to any person who claims any other tract of land in the said territory by virtue of any British or Spanish grant, or order of survey.

Sec. 3. *And be it further enacted,* That every person, and the legal representatives of every person, who being the head of a family, or above the age of twenty-one years, doth at the time of passing this act, inhabit and cultivate a tract of land in the said territory, not claimed by virtue of the preceding sections of this act, or of any British grant, or of the articles of agreement and cession above mentioned, shall be entitled to a preference in becoming the purchaser from the United States, of such tract of land, at the price at which the other lands of the United States in the said territory, are by this act directed to be sold; and payment may be made therefor in the same manner, and under the same conditions as directed by this act for such other lands: *Provided however,* That no interest shall be charged upon any of the instalments until they respectively become payable.

Refers to articles of agreement and cession.

Without interest.

Sec. 4. *And be it further enacted,* That for the disposal of the lands of the United States within the Mississippi territory, two land offices shall be established in the same, one at such place in the county of Adams, as shall be designated by the President of the United States, for the lands lying west of "Pearl river," some times called "half way river;" and one at such place in the county of Washington, as shall be designated by the President of the United States, for the lands lying east of Pearl river: and for each of the said offices, a register and a receiver of public

Two land offices in the Mississippi territory.

Register and receiver of public money in each.

Security.

monies shall be appointed, who shall give security in the same manner, and in the same sums, and whose duties and authority shall in every respect be the same in relation to the lands which shall be disposed of at their offices, as are by law provided in relation to the registers and the receivers of public monies in the several offices established for the disposal of the lands of the United States, north of the river Ohio, and above the mouth of Kentucky river.

Chimants and
re...
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four.

Sec. 5. *And be it further enacted*, That every person claiming lands by virtue of any British grant, or of the three first sections of this act, or of the articles of agreement and cession between the United States and the state of Georgia, shall before the last day of March, in the year one thousand eight hundred and four deliver to the register of the land office, within whose district the land may be, a notice in writing, stating the nature and extent of his claims, together with a plot of the tract or tracts claimed, and shall also on or before that day, deliver to the said register, for the purpose of being recorded, every grant, order of survey, deed, conveyance, or other written evidence of his claim, and the same shall be recorded by the said register, in books to be kept for that purpose, on receiving from the parties at the rate of twelve and a half cents, for every hundred words contained in such written evidence of their claim; and if such person shall neglect to deliver such notice in writing, of his claim, together with a plot as aforesaid, or cause to be recorded such written evidence of the same, all his right, so far as the same is derived from the above mentioned articles of agreement, or

People thereof
to for their
claims.

from the three first sections of this act, shall become void, and forever thereafter be barred; nor shall any grant, order of survey, deed, conveyance, or other written evidence, which shall not be recorded as above directed, ever after be considered or admitted as evidence in any court in the United States, against any grant derived from the United States.

Sec. 6. *And be it further enacted,* That the register of the land office in Adams county, and two other persons who shall be appointed by the President of the United States alone, shall for the lands lying west of Pearl river, and the register of the land office of Washington county, together with two other persons who shall be appointed by the President of the United States alone, shall for the lands lying east of Pearl river, respectively be commissioners, for the purpose of ascertaining the rights of persons, claiming the benefit of the articles of agreement and cession between the United States and the state of Georgia, or of the three first sections of this act; and the said commissioners shall, previous to entering on the duties of their appointment, respectively take and subscribe the following oath or affirmation, before some person qualified to administer the same: "I

do solemnly swear (or affirm) that I will impartially exercise and discharge the duties imposed upon me, by an act of Congress, entitled, an act regulating the grants of land and providing for the disposal of the lands of the United States south of the state of Tennessee, to the best of my skill and judgment." And it shall be the duty of the said commissioners to meet in the county of Adams, and in Washington county aforesaid,

Commissioners
appointed to
settle the
claims.

Their oath or
affirmation.—

Duties.

respectively, on or before the first day of December next, and they shall not adjourn to any other place, or for a longer time than three days, until the first day of April, one thousand eight hundred and four, and until they shall have completed the business of their appointment. And each board, or a majority of each board, shall, in their respective districts, have power to hear and decide in a summary manner, all matters respecting such claims, also to administer oaths and examine witnesses, and such other testimony as may be adduced, and to determine thereon according to justice and equity; which determination, so far as relates to any rights derived from the articles of agreement above mentioned, or from the three first sections of this act, shall be final; and for the safe keeping of the papers and evidence produced and recording their proceedings, the said boards, respectively, shall have power to appoint a clerk, whose duty it shall be to enter in a book to be kept for that purpose, perfect and correct minutes of the proceedings, decisions, meetings and adjournments of the boards, together with the evidence on which such decisions are made; which books and papers, on the dissolution of the boards shall be transmitted to, and lodged in the office of the Secretary of State; and on or before such clerk's entering on the duties of his office, he shall take and subscribe the following oath or affirmation, to wit: "I do solemnly swear (or affirm as the case may be) that I will truly and faithfully enter and record all minutes, proceedings and decisions of the board of commissioners for the county of _____ appointed under and by virtue of an act of the United States, entitled "An act

Powers.

Appointment of clerks—

Duties.

Papers, &c. on dissolution of the board to be lodged in the Secretary of State's office.

Oath or affirmation of the Clerk.

regulating the grants of land, and providing for the disposal of the lands of the United States, south of the state of Tennessee," and well and faithfully do and perform all other acts and things in the said act, pointed out as the duty of a clerk of the said board, which oath shall be entered on the minutes of the board; and when it shall appear to them that the claimant is entitled to a tract of land under the articles of agreement and cession with Georgia aforesaid, in virtue of a British or Spanish grant legally and fully executed, they shall give a certificate thereof, describing the tract of land and the grant, and stating that the claimant is confirmed in his title thereto by virtue of the said articles; which certificate, being recorded by the register of the land office, whose duty it shall be to record the same in a book to be kept by him for that purpose, shall amount to a relinquishment forever on the part of the United States to any claim whatever to such tract of land: and when it shall appear to the said commissioners that the claimant is entitled to a tract of land by virtue of a settlement under the Bourbon act of Georgia, recognized in the said articles of agreement and cession, or of either of the two first sections of this act, they shall give a certificate thereof, stating the circumstances of the case, and that the claimant is entitled to receive a patent for such a tract of land by virtue of this act, which certificate being duly entered with the register of the land office, on or before the first day of January, eighteen hundred and five, shall entitle the party to a patent for the said tract, which shall issue in like manner as is provided by this act for the other lands of the Uni-

Titles, when
to be granted,
and how— under the Georgia cession.

Under the
Bourbon act
of Georgia.—

Right of pre-emption.

ted States, without the party paying any thing therefor, except the surveying expenses and the fees of office. And when it shall appear to the said commissioners that the claimant is entitled to a right of pre-emption by virtue of the third section of this act, they shall give a certificate thereof, directed to the register of the land office; which certificate being duly entered with the register of the land office, on or before the first day of January, eighteen hundred and five, shall entitle the party to become a purchaser for such tract of land: *Provided*, That he shall, prior to the first day of January, eighteen hundred and six, also produce a receipt from the treasurer of the United States, or from the receiver of public monies for at least one fourth part of the purchase money, and also for the payment of the surveying expenses; and the party shall upon payment in full of the purchase money, on which, if any of the three last payments shall be made in advance, he shall be allowed the same discount allowed in similar cases by this act, be entitled to receive a patent, which shall issue in like manner, and on payment of the same fees as are provided by this act for the other lands of the United States; but if such person shall neglect to enter his certificate, on or before the first day of January, eighteen hundred and five, or to make such first payment as above provided; his right of pre-emption shall cease and become void: *Provided also, and it is further enacted*, That whenever a tract of land to which any person might be entitled by virtue of the three first sections of this act, shall also be claimed by the holder of a British patent, legally and fully executed, and duly recorded in conformity

Proviso.

Proviso.

to the provisions of this act, who is not confirmed in his claim by the articles of agreement above mentioned, the commissioners shall, in the certificate granted to the person claiming the land by virtue of this act, state the existence of the adverse claims, in which case the party shall not be entitled to a patent, unless he shall have obtained in his favour a judicial decision in a court having jurisdiction therein, and for every certificate so granted by the boards respectively the clerk of the board granting the same, shall be entitled to demand and receive of the party to whom the same is granted, the sum of two dollars.

Clerk to receive two dollars for every certificate.—

Sec. 7. *And be it further enacted*, That the commissioners aforesaid, shall, on or before the first day of December, one thousand eight hundred and four, make to the Secretary of the Treasury a full report of all the British grants legally and fully executed, which have been duly recorded in conformity to the provisions of this act, the title of which is not confirmed to the holders thereof, by the articles of agreement above mentioned, stating the present situation of the lands, the date of such grants, the conditions annexed thereto, and how far the same have been fulfilled, together with such other remarks thereon as they may think proper; which report shall be laid before Congress at their next session, and the lands contained in such grants shall not be otherwise disposed of, until the end of one year after that time.

Commissioners shall report to the Secretary of the Treasury.

Report to be laid before Congress.—

Sec. 3. *And be it further enacted*, That so much of the five millions of acres reserved for that purpose by the articles of agreement above mentioned, as may be necessary to satisfy the claims not confirmed by that agree-

Unconfirmed claims provided for.

ment, which are embraced by the two first sections of this act, or which may be derived from British grants for lands which have not been regranted by the Spanish government, be, and the same is hereby appropriated for that purpose; and so much of the residue of the said five millions of acres or of the nett proceeds thereof as may be necessary for that purpose, shall be, and is hereby appropriated, for the purpose of satisfying, quieting and compensating, for such other claims to the lands of the United States south of the state of Tennessee, not recognized in the above mentioned articles of agreement, and which are derived from any act or pretended act of the state of Georgia, which Congress may hereafter think fit to provide for, provided however that no other claims shall be embraced by this appropriation, but those, the evidence of which shall have, on or before the first day of January next, been exhibited by the claimants to the Secretary of State, and recorded in books to be kept in his office for that purpose, at the expense of the party exhibiting the same, who shall pay to the person employed by the Secretary of State for recording the same, at the rate of twelve and an half cents for every hundred words contained in each document thus recorded; nor shall any grant, deed, conveyance, or other written evidence of any claim to the said lands, derived, or pretended to be derived from the state of Georgia, and not recognised by the above mentioned articles of agreement, ever after be admitted or considered as evidence in any of the courts of the United States, unless it shall have been exhibited, and recorded, in the manner and within the time above mentioned;

Provided—

and provided also, that nothing herein contained, shall be construed to recognise or affect the claims, of any person or persons, to any of the lands above mentioned; and provided also, that no certificate shall be granted for lands lying east of the Tombigby river, nor for lands situated without the boundary lines established by treaty between the United States and the Choctaws. made the seventeenth day of October, in the year eighteen hundred and two.

Sec. 9. *And be it further enacted,* That the Secretary of State, the Secretary of the Treasury and the attorney general for the time being, be, and are hereby authorized and empowered to receive such propositions of compromise and settlement, as may be offered by the several companies, or persons claiming public lands in the territory of the United States, lying south of the state of Tennessee, and west of the state of Georgia; and report their opinion thereon to Congress at their next session.

Authority given to receive propositions of compromise.

Sec. 10. *And be it further enacted,* That a surveyor of the lands of the United States, south of the state of Tennessee, shall be appointed, whose duty it shall be to engage a sufficient number of skillful surveyors as his deputies, and to cause the lands above mentioned, to which the titles of the Indian tribes have been extinguished, to be surveyed and divided in the manner here after directed, and to do and perform all such other acts, in relation to the said lands, as the surveyor general is authorized and directed to do in relation to the lands lying north west of the river Ohio, and above the mouth of the river Kentucky.

Land surveyor south of Tennessee appointed, who shall engage deputies. Duties.—

Sec. 11. *And be it further enacted,* That the lands for which certificates of any descrip-

Further duties of the surveyor.

tion whatever, shall have been granted by the commissioners in pursuance of the provisions of this act, shall, as soon as may be, be surveyed under the direction of the surveyor of the lands of the United States above mentioned, in conformity to the true tenor and intent of such certificates; and the said surveyor shall also cause all the other lands of the United States, in the Mississippi territory, to which the Indian title has been extinguished, to be surveyed as far as practicable, into townships, and subdivided into half sections, in the manner provided for the surveying of the lands of the United States situate north west of the river Ohio, and above the mouth of Kentucky river, and shall transmit to the registers of the land offices respectively, general and particular plots of all the lands surveyed as aforesaid, and shall also forward copies of the said plots to the Secretary of the Treasury; and he shall also, with the approbation of the said Secretary, fix the compensation of the deputy surveyors, chain carriers, and axe men: *Provided*, That the whole expense of surveying and marking the lines shall not exceed four dollars for every mile that shall be actually run, surveyed and marked: *And provided*, That the expense of surveying those tracts of land, to which the title of the claimants is confirmed by the articles of agreement, or by the two first sections of this act, and those tracts claimed under British grants, a return of which is to be made to Congress, shall not be advanced by the United States, but shall be paid to the deputy surveyor by the parties claiming the same; and that in relation to all the lands sold by the United States, the purchaser shall make the same payment for surveying expenses, which

is directed by law to be made for lands sold north of the river Ohio.

Sec. 12. *And be it further enacted,* That all the lands aforesaid, not otherwise disposed of, or excepted by virtue of the preceding sections of this act, shall, with the exception of the section number sixteen, which shall be reserved in each township for the support of schools within the same, with the exception also of thirty-six sections to be located in one body by the Secretary of the Treasury for the use of Jefferson college, and also with the exception of such town lots not exceeding two in the town of Natchez, and of such an outlot adjoining the same, not exceeding thirty acres, as may be the property of the United States to be located by the governor of the Mississippi territory, for the use of the said college, be offered for sale to the highest bidder, under the direction of the governor of the Mississippi territory, of the surveyor of the lands of the United States, above mentioned, and of the register of the land office at the places respectively, where the land offices are kept, and on such day or days as shall, by a public proclamation of the President of the United States, be designated for that purpose. The sales shall remain open at each place for three weeks and no longer; and all lands, other than the section number sixteen, remaining unsold at the closing of the public sales, may be disposed of at private sale by the registers of the respective land offices in the same manner, under the same regulations, for the same price, and on the same terms and conditions as is provided by law, for the sale of the lands of the United States, north of the river Ohio, by an act, intituled,

The lands aforesaid unappropriated to be sold.

Under whose Directions.—

Sales to remain open for three weeks — then private sales, by whom —

and on what terms.

“An act to amend the act intituled, an act providing for the sale of the lands of the United States, in the territory north west of the Ohio, and above the mouth of Kentucky river:” *Provided always*, That the lands which may be sold at public sale by virtue of this act, shall not be sold for less than two dollars per acre, and shall in every other respect be sold on the same terms and conditions as was provided for the lands sold at public sale, by the last recited act. And patents shall be obtained for all lands granted or sold in the Mississippi territory in the same manner and on payment of the same fees as is provided for lands sold north of the river Ohio, by the said last recited act; *Provided however*, That evidences of the public debt of the United States shall not be received in payment for the purchase of said lands.

Proviso.

Patent fees

Proviso.

Fees of the registers of the land office, and receivers of public monies—

Salary of the Surveyor—

and of his two clerks.

Compensation of the commissioners

Sec. 13. *And be it further enacted*, That the registers of the land offices, and the receivers of public monies, appointed in pursuance of this act shall receive the same fees and compensation as the registers and receivers of the land offices, north of the river Ohio, and the registers shall also be entitled to receive twenty-five cents for entering each certificate granted by the commissioners above mentioned. The surveyor of the lands of the United States, appointed in pursuance of this act, shall receive an annual compensation of fifteen hundred dollars, and shall be allowed not exceeding two clerks, whose whole compensation shall not exceed one thousand dollars per annum. The commissioners appointed to ascertain the rights of persons claiming the benefit of the articles of agreement above mentioned, and of this act, shall receive each a

compensation of two thousand dollars for the whole of their services, the registers of the land offices excepted, who shall receive only five hundred dollars each, for their services as commissioners; the clerks of the boards of commissioners a compensation not exceeding seven hundred and fifty dollars each; and the superintendants of the public sales shall receive six dollars each, for each day's attendance on the said sales.

and of their clerks.

Pay of the superintendants.

Sec. 14. *And be it further enacted,* That the President of the United States shall have full power to appoint and commission the surveyor, registers of the land offices, and receivers of public monies above mentioned, in the recess of Congress, and their commissions shall continue in force until the end of the session of Congress next ensuing such appointment.

Commissions of the surveyor, register of the land offices, and receiver of public monies.

Sec. 15. *And be it further enacted,* That a sum not exceeding twenty thousand dollars, be, and the same is hereby appropriated for the purpose of carrying this act into effect; which sum shall be paid out of any unappropriated monies in the treasury.

Appropriation for this act.—

Sec. 16. *And be it further enacted,* That the nett proceeds of the lands which may be sold by virtue of this act, after deducting the surveying expenses and other expenses incident to the sale thereof, shall, and the same are hereby appropriated in the first place, towards paying to the state of Georgia a sum of one million two hundred and fifty thousand dollars, in pursuance of the articles of agreement and cession entered into between the United States and that state; and the Secretary of the Treasury is hereby authorised and directed to pay accordingly, and from time to

Appropriation of the monies arising from the above sales.

time, as the same shall be received in the treasury of the United States, so much of the said nett proceeds as will amount to the said sum of one million two hundred and fifty thousand dollars.

Navigable rivers south of Tennessee to remain public.

Sec. 17. *And be it further enacted*, That all navigable rivers within the territory of the United States, south of the state of Tennessee, shall be deemed to be and remain public highways.

NATHL. MACON,

Speaker of the House of Representatives.

STEPHEN R. BRADLEY,

President of the Senate, pro tempore.

March 3, 1803.

APPROVED.

TH. JEFFERSON.

CHAPTER LXXXI.

An ACT concerning the Salt Springs on the waters of the Wabash river.

BE it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That for the purpose of procuring articles necessary to the establishment of salt works, at the springs near the Wabash river, which have been ceded to the United States, by certain Indian tribes, the sum of three thousand dollars be, and the same is hereby appropriated, to be paid out of any unappropriated money in the treasury, and under the direction of the President of the United States, who is hereby authorised to cause the said springs to be worked at the expense of the United States; or, if he shall deem it more proper, to lease the same

for a term not exceeding three years, on such conditions as will insure the working the same most extensively, and to the most advantage to the United States

NATHL. MACON,

Speaker of the House of Representatives.

STEPHEN R. BRADLEY,

President of the Senate, pro tempore.

March 3, 1803.

APPROVED.

TH: JEFFERSON.

CHAPTER LXXXII.

An ACT concerning the City of Washington.

BE it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the superintendant of the city of Washington shall be, and he hereby is allowed as a compensation for his services, a salary of one thousand two hundred dollars, annually.

Salary of the superintendant

Sec. 2. *And be it further enacted,* That the surveyor of the city shall receive as a compensation for his services, an allowance of three dollars for every day during which he shall be actually employed.

Allowance to the surveyor.

Sec. 3. *And be it further enacted,* That the following sums be, and the same hereby are appropriated for defraying the expense in relation to the said officers, that is to say:

Sums appropriated.

For the salary of the superintendant for the year one thousand eight hundred and three, including an allowance at the same rate for six months of the preceding year, one thousand eight hundred dollars:

For clerk hire in his office, five hundred dollars:

For the wages of the surveyor, one thousand dollars:

For a messenger to both offices, and also to attend the surveyor in the field, two hundred dollars:

For fuel, stationery and other contingent expenses of both offices, two hundred dollars.

To be paid out
of the city
fund.

Sec. 4. *And be it further enacted*, That the several appropriations herein before made, shall be paid and discharged out of any monies in the hands of the said superintendant arising out of the city funds.

Appropriation
from the trea-
sury.

Sec. 5. *And be it further enacted*, That a sum not exceeding fifty thousand dollars, shall be and is hereby appropriated, to be applied under the direction of the President of the United States, in such repairs or alterations in the capitol and other public buildings as may be necessary for the accommodation of Congress in their future sessions, and also for keeping in repair the highway between the capitol and other public buildings; which sum shall be paid out of any money in the treasury of the United States not otherwise appropriated.

NATHL. MACON,

Speaker of the House of Representatives.

STEPHEN R. BRADLEY,

President of the Senate pro tempore.

March 3, 1803.

APPROVED.

TH: JEFFERSON.

CHAPTER LXXXIII.

An ACT to revive and continue in force, an act in addition to an act, intituled, " An act in addition to an act regulating the grants of land appropriated for Military services and for the Society of the United Brethren for propagating the gospel among the Heathen;" and for other purposes.

BE it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the first section of an act in addition to an act intituled " An act in addition to an act regulating the grants of land appropriated for military services, and for the society of the United Brethren for propagating the gospel among the heathen, approved the twenty sixth of April, eighteen hundred and two, be, and the same is hereby revived and continued in force until the first day of April next.

Sec. 2. *And be it further enacted,* That the Secretary of War be, and he hereby is authorized, from and after the first day of April next, to issue warrants for military bounty lands to the two hundred and fifty four persons who have exhibited their claims, and produced satisfactory evidence to substantiate the same to the Secretary of war, in pursuance of the act of the twenty sixth of April eighteen hundred and two, intituled " An act in addition to an act, intituled, an act in addition to an act regulating the grants of land appropriated for military services and for the society of the United Brethren for propagating the gospel among the Heathen."

Revived and continued in force four weeks.
Secretary of War to issue land warrants; when, and to whom.

Where to be located.

Sec. 3. *And be it further enacted,* That the holders or proprietors of the land warrants issued by virtue of the preceding section, shall and may locate their respective warrants only, on any unlocated parts of the fifty quarter townships and the fractional quarter townships which had been reserved for original holders, by virtue of the fifth section of an act intituled "An act in addition to an act intituled an act regulating the grants of land appropriated for military services, and for the society of the United Brethren for propagating the gospel among the heathen."

Land warrants to general La Fayette.

Sec. 4. *And be it further enacted,* That the Secretary of War be, and he is hereby authorized to issue land warrants to Major General La Fayette, for eleven thousand five hundred twenty acres, which shall at his option, be located, surveyed and patented, in conformity with the provisions of an act intituled an act regulating the grants of land appropriated for military services, and for the society of the United Brethren for propagating the gospel among the heathen, or which may be received acre for acre, in payment for any of the lands of the United States north of the river Ohio, and above the mouth of Kentucky river.

Unappropriated lands within the military tract; how to be surveyed.

Sec. 5. *And be it further enacted,* That all the unappropriated lands within the military tract, shall be surveyed into half sections, in the manner directed by the act intituled "An act to amend the act intituled an act providing for the sale of the lands of the United States in the territory north-west of the Ohio, and above the mouth of Kentucky river;" and that so much of the said lands as lie west of the eleventh range within the said

Part to be at.

tract, shall be attached to, and made a part of the district of Chillicothe, and be offered for sale at that place, under the same regulations that other lands are within the said district.

Sec. 6. *And be it further enacted,* That the lands within the said eleventh range, and east of it, within the said military tract, and all the lands north of the Ohio company's purchase, west of the seven first ranges, and east of the district of Chillicothe, shall be offered for sale at Zanesville, under the direction of a Register of the Land Office and receiver of public monies to be appointed for that purpose, who shall reside at that place, and shall perform the same duties and be allowed the same emoluments as are prescribed for and allowed to Registers and receivers of the Land Offices by law.

Sec. 7. *And be it further enacted,* That all persons who have obtained certificates for the right of pre-emption to lands by virtue of two acts, the one intituled "An act giving a right of pre-emption to certain persons who have contracted with John Cleves Symmes, or his associates for lands lying between the Miami rivers in the territory of the United States north west of the Ohio," and the other "An act to extend and continue the provisions of the said act, passed on the first day of May, eighteen hundred and two, and who have not made the first payment therefor, before the first day of January last shall be allowed until the tenth day of April next to complete the same; and that all persons who have become purchasers of land by virtue of the aforesaid acts, be, and they are hereby allowed until the first day of January, eighteen hundred and five, to make the second instal-

ment to the district of Chillicothe; and for sale.

Certain tracts for sale.

Where to be offered.

Register and receiver appointed.

Duties and compensation.

Possessors of rights of pre-emption under John Cleves Symmes and others, allowed further time of payment.

ment; until the first day of January, eighteen hundred and six, to make their third instalment; and until the first day of January, eighteen hundred and seven to make their fourth and last instalment; any thing in the acts aforesaid, to the contrary notwithstanding.

Sec. 8. *And be it further enacted*, That where any warrants granted by the state of Virginia, for military services, have been surveyed on the north west side of the river Ohio, between the Sciota and the little Miami rivers, and the said warrants, or the plats and certificates of survey made thereon, have been lost or destroyed, the persons entitled to the said land may obtain a patent therefor, by producing a certified duplicate of the warrant from the land office of Virginia, or of the plat and certificate of survey from the office of the surveyor in which the same was recorded, and giving satisfactory proof to the Secretary of War, by his affidavit, or otherwise, of the loss or destruction of said warrant, or plat and certificate of survey.

NATH^L. M^C CON,

Speaker of the House of Representatives.

STEPHEN R. BRADLEY,

President of the Senate pro tempore.

March 3, 1803.

APPROVED.

TH: JEFFERSON.

CHAPTER LXXXIV.

An ACT for the relief of Insolvent Debtors within the District of Columbia.

BE it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That any

Land patents how to be obtained when the military warrants are lost or destroyed.

debtor who now is, or may hereafter be, in actual confinement in jail, in the district of Columbia, at the suit of any creditor, may apply by petition in writing, to any one of the judges of the circuit court of the district of Columbia, and offer to deliver up, for the use of his creditors, all his property, real, personal and mixed, to which he is in any manner entitled, a schedule whereof, on oath or affirmation, together with a list of his creditors, as far as he can ascertain them, shall be annexed to and exhibited with his petition; and thereupon the said judge shall direct notice of such application to be published in some of the public newspapers, for such time as he may think proper, which notice shall likewise require the attendance of the creditors at the court-house of the county, in which the petitioning debtor is confined, and at such time as the said judge may appoint; and it shall be the duty of the said judge, and of the clerk, of the county, to attend at the time and place appointed; and on the appearance of the creditors, either in person or by attorney, agreeably to the notification, or on their neglect to appear, the said judge shall administer to the debtor the following oath: "I. A. B. do swear (or solemnly, sincerely and truly declare and affirm,) that I will deliver up, convey and transfer, for the use of my creditors, all my property that I have any title to or claim any interest in, whether in possession, remainder or reversion, and all claims, rights and credits that I have or am in any manner entitled to; and that I have not at any time given, sold, conveyed, lessened or disposed of for the use or benefit of myself, or any other person or persons, any part of my money or other property, claims, rights or credits, thereby

Debtors confined in the jail of the district of Columbia may petition for relief.

In what manner.

Oath or affirmation of the debtor.

Trustee appointed.

to defraud my creditors, or any of them, or to secure the same with a view or expectation to receive any profit, benefit or advantage thereby," and the said judge shall thereupon appoint such person, as a majority of the creditors in value, their agents or attorneys then present, shall recommend, to be a trustee, for the benefit of the creditors of the petitioning debtor; or in case of non-attendance of the creditors, or of their not making a recommendation, the said justice shall name such person as he shall think proper, to be a trustee as aforesaid.

Who shall give bond and security.

Sec. 2. *And be it further enacted*, That before the said trustee shall proceed to act, he shall give bond to the United States in such penalty and with such security as the said judge shall approve, conditioned for the faithful performance of his trust, which shall be recorded in the clerk's office of the county in which the proceedings are had; and a certified copy thereof shall be received as evidence in any court of law in the United States; and the said bond may be sued in the name of the United States, for the use of any person or persons who may conceive him or themselves aggrieved by the negligence or misconduct of the trustee. And in case of the death or refusal to act of any trustee, the said judge may appoint another in his place, who shall give bond in manner as aforesaid.

In case of death or refusal to act, another appointed.

The petitioning debtor discharged, and how.

Sec. 3. *And be it further enacted*, That upon the petitioning debtor's executing a deed or deeds to the said trustee, conveying all his property, real, personal and mixed, and all his claims, rights and credits, agreeably to the oath or affirmation of the said debtor, and on delivering all his said property which he shall have in his possession, together with his

for a term not exceeding three years, on such conditions as will insure the working the same most extensively, and to the most advantage to the United States

NATH. MACON,

Speaker of the House of Representatives.

STEPHEN R. BRADLEY,

President of the Senate, pro tempore.

March 3, 1803.

APPROVED.

TH. JEFFERSON.

CHAPTER LXXXII.

An ACT concerning the City of Washington.

BE it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the superintendent of the city of Washington shall be, and he hereby is allowed as a compensation for his services, a salary of one thousand two hundred dollars, annually.

Salary of the superintendent.

Sec. 2. *And be it further enacted,* That the surveyor of the city shall receive as a compensation for his services, an allowance of three dollars for every day during which he shall be actually employed.

* Allowance to the surveyor.

Sec. 3. *And be it further enacted,* That the following sums be, and the same hereby are appropriated for defraying the expense in relation to the said officers, that is to say:

Sums appropriated.

For the salary of the superintendent for the year one thousand eight hundred and three, including an allowance at the same rate for six months of the preceding year, one thousand eight hundred dollars:

For clerk hire in his office, five hundred dollars:

For the wages of the surveyor, one thousand dollars:

For a messenger to both offices, and also to attend the surveyor in the field, two hundred dollars:

For fuel, stationery and other contingent expenses of both offices, two hundred dollars.

Sec. 4. *And be it further enacted*, That the several appropriations herein before made, shall be paid and discharged out of any monies in the hands of the said superintendant arising out of the city funds.

To be paid out of the city funds.

Sec. 5. *And be it further enacted*, That a sum not exceeding fifty thousand dollars, shall be and is hereby appropriated, to be applied under the direction of the President of the United States, in such repairs or alterations in the capitol and other public buildings as may be necessary for the accommodation of Congress in their future sessions, and also for keeping in repair the highway between the capitol and other public buildings; which sum shall be paid out of any money in the treasury of the United States not otherwise appropriated.

Appropriation from the treasury.

NATHL. MACON,

Speaker of the House of Representatives.

STEPHEN R. BRADLEY,

President of the Senate pro tempore.

March 3, 1803.

APPROVED.

TH: JEFFERSON.

CHAPTER LXXXIII.

An ACT to revive and continue in force, an act in addition to an act, intituled, "An act in addition to an act regulating the grants of land appropriated for Military services and for the Society of the United Brethren for propagating the gospel among the Heathen;" and for other purposes.

BE it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the first section of an act in addition to an act intituled "An act in addition to an act regulating the grants of land appropriated for military services, and for the society of the United Brethren for propagating the gospel among the heathen, approved the twenty sixth of April, eighteen hundred and two, be, and the same is hereby revived and continued in force until the first day of April next.

Sec. 2. *And be it further enacted,* That the Secretary of War be, and he hereby is authorized, from and after the first day of April next, to issue warrants for military bounty lands to the two hundred and fifty four persons who have exhibited their claims, and produced satisfactory evidence to substantiate the same to the Secretary of war. in pursuance of the act of the twenty sixth of April eighteen hundred and two, intituled "An act in addition to an act, intituled, an act in addition to an act regulating the grants of land appropriated for military services and for the society of the United Brethren for propagating the gospel among the Heathen."

Revived and continued in force four weeks.
Secretary of War to issue land warrants; when, and to whom.

Where to be located.

Sec. 3. *And be it further enacted,* That the holders or proprietors of the land warrants issued by virtue of the preceding section, shall and may locate their respective warrants only, on any unlocated parts of the fifty quarter townships and the fractional quarter townships which had been reserved for original holders, by virtue of the fifth section of an act intituled "An act in addition to an act intituled an act regulating the grants of land appropriated for military services, and for the society of the United Brethren for propagating the gospel among the heathen."

Land warrants to general La Fayette.

Sec. 4. *And be it further enacted,* That the Secretary of War be, and he is hereby authorized to issue land warrants to Major General La Fayette, for eleven thousand five hundred twenty acres, which shall at his option, be located, surveyed and patented, in conformity with the provisions of an act intituled an act regulating the grants of land appropriated for military services, and for the society of the United Brethren for propagating the gospel among the heathen, or which may be received acre for acre, in payment for any of the lands of the United States north of the river Ohio, and above the mouth of Kentucky river.

Unappropriated lands within the military tract; how to be surveyed.

Sec. 5. *And be it further enacted,* That all the unappropriated lands within the military tract, shall be surveyed into half sections, in the manner directed by the act intituled "An act to amend the act intituled an act providing for the sale of the lands of the United States in the territory north-west of the Ohio, and above the mouth of Kentucky river;" and that so much of the said lands as lie west of the eleventh range within the said

Part to be at-

tract, shall be attached to, and made a part of the district of Chillicothe, and be offered for sale at that place, under the same regulations that other lands are within the said district.

Sec. 6. *And be it further enacted,* That the lands within the said eleventh range, and east of it, within the said military tract, and all the lands north of the Ohio company's purchase, west of the seven first ranges, and east of the district of Chillicothe, shall be offered for sale at Zanesville, under the direction of a Register of the Land Office and receiver of public monies to be appointed for that purpose, who shall reside at that place, and shall perform the same duties and be allowed the same emoluments as are prescribed for and allowed to Registers and receivers of the Land Offices by law.

Sec. 7. *And be it further enacted,* That all persons who have obtained certificates for the right of pre-emption to lands by virtue of two acts, the one intitled "An act giving a right of pre-emption to certain persons who have contracted with John Cleves Symmes, or his associates for lands lying between the Miami rivers in the territory of the United States north west of the Ohio," and the other "An act to extend and continue the provisions of the said act, passed on the first day of May, eighteen hundred and two, and who have not made the first payment therefor, before the first day of January last shall be allowed until the tenth day of April next to complete the same; and that all persons who have become purchasers of land by virtue of the aforesaid acts, be, and they are hereby allowed until the first day of January, eighteen hundred and five, to make the second instal-

ment to the district of Chillicothe; and for sale.

Certain tracts for sale.

Where to be sold.

Register and receiver appointed.

Duties and compensation.

Possibility of rights of pre-emption under John Cleves Symmes and others, allowed further time of payment.

ment; until the first day of January, eighteen hundred and six, to make their third instalment; and until the first day of January, eighteen hundred and seven to make their fourth and last instalment; any thing in the acts aforesaid, to the contrary notwithstanding.

Sec. 8. *And be it further enacted, That* where any warrants granted by the state of Virginia, for military services, have been surveyed on the north west side of the river Ohio, between the Sciota and the little Miami rivers, and the said warrants, or the plats and certificates of survey made thereon, have been lost or destroyed, the persons entitled to the said land may obtain a patent therefor, by producing a certified duplicate of the warrant from the land office of Virginia, or of the plat and certificate of survey from the office of the surveyor in which the same was recorded, and giving satisfactory proof to the Secretary of War, by his affidavit, or otherwise, of the loss or destruction of said warrant, or plat and certificate of survey.

NATH. MAJON,

Speaker of the House of Representatives.

STEPHEN R. BRADLEY,

President of the Senate pro tempore.

March 3, 1808.

APPROVED.

TH: JEFFERSON.

CHAPTER LXXXIV.

An ACT for the relief of Insolvent Debtors within the District of Columbia.

BE it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That any

Land patents
how to be ob-
tained when
the military
warrants are
lost or destroy-
ed.

debtor who now is, or may hereafter be, in actual confinement in jail, in the district of Columbia, at the suit of any creditor, may apply by petition in writing, to any one of the judges of the circuit court of the district of Columbia, and offer to deliver up, for the use of his creditors, all his property, real, personal and mixed, to which he is in any manner entitled, a schedule whereof, on oath or affirmation, together with a list of his creditors, as far as he can ascertain them, shall be annexed to and exhibited with his petition; and thereupon the said judge shall direct notice of such application to be published in some of the public newspapers, for such time as he may think proper, which notice shall likewise require the attendance of the creditors at the court-house of the county, in which the petitioning debtor is confined, and at such time as the said judge may appoint; and it shall be the duty of the said judge, and of the clerk, of the county, to attend at the time and place appointed; and on the appearance of the creditors, either in person or by attorney, agreeably to the notification, or on their neglect to appear, the said judge shall administer to the debtor the following oath: "I. A. B. do swear (or solemnly, sincerely and truly declare and affirm,) that I will deliver up, convey and transfer, for the use of my creditors, all my property that I have any title to or claim any interest in, whether in possession, remainder or reversion, and all claims, rights and credits that I have or am in any manner entitled to; and that I have not at any time given, sold, conveyed, lessened or disposed of for the use or benefit of myself, or any other person or persons, any part of my money or other property, claims, rights or credits, thereby

Debtors confined in the jail of the district of Columbia may petition for relief.

In what manner.

Oath or affirmation of the debtor.

to defraud my creditors, or any of them, or to secure the same with a view or expectation to receive any profit, benefit or advantage thereby," and the said judge shall thereupon appoint such person, as a majority of the creditors in value, their agents or attorneys then present, shall recommend, to be a trustee, for the benefit of the creditors of the petitioning debtor; or in case of non-attendance of the creditors, or of their not making a recommendation, the said justice shall name such person as he shall think proper, to be a trustee as aforesaid.

Trustee appointed.

Sec. 2. *And be it further enacted*, That before the said trustee shall proceed to act, he shall give bond to the United States in such penalty and with such security as the said judge shall approve, conditioned for the faithful performance of his trust, which shall be recorded in the clerk's office of the county in which the proceedings are had; and a certified copy thereof shall be received as evidence in any court of law in the United States; and the said bond may be sued in the name of the United States, for the use of any person or persons who may conceive him or themselves aggrieved by the negligence or misconduct of the trustee. And in case of the death or refusal to act of any trustee, the said judge may appoint another in his place, who shall give bond in manner as aforesaid.

Who shall give bond and security.

In case of death or refusal to act, another appointed.

Sec. 3. *And be it further enacted*, That upon the petitioning debtor's executing a deed or deeds to the said trustee, conveying all his property, real, personal and mixed, and all his claims, rights and credits, agreeably to the oath or affirmation of the said debtor, and on delivering all his said property which he shall have in his possession, together with his

The petitioning debtor discharged, and how.

books, papers and evidences of debts of every kind, to the said trustee, and the said trustee's certifying the same to the said judge in writing, it shall be lawful for the said judge to make an order to the marshal, jailor or keeper of the prison, in which said debtor is then confined, commanding that the said debtor shall be thenceforth discharged from his imprisonment; and he shall be immediately discharged, and the said order shall be a sufficient warrant therefor: *Provided*, That no person who has been guilty of a breach of the laws, and who has been imprisoned for or on account of the same, shall be discharged from imprisonment: *And provided likewise*, That any property which the debtor may afterwards acquire, (except the necessary wearing apparel and bedding for his family, and his tools if a mechanic or manufacturer,) shall be liable to the payment of his debts, any thing herein to the contrary notwithstanding.

PROV' SO.

Sec. 4. *And be it further enacted*, That the said judge may allow such petitioning debtor and his family, to retain their necessary wearing apparel and bedding, and if the said debtor be a mechanic or manufacturer, he may likewise retain the tools of his trade.

Wearing apparel, bedding & tools of trade allowed

Sec. 5. *And be it further enacted*, That the said judge may direct the trustee to sell and convey the property of the petitioning debtor, at such time, and on such terms and conditions as he shall deem most to the advantage of the creditors, and the product thereof, after satisfying all incumbrances and liens, shall be divided among the creditors in proportion to their respective claims: and no process against the real or personal property of the debtor shall have any effect or

Property of the debtor how sold.

Product thereof how divided.

What pro-
cesses only can
take effect.

operation, except process of execution, and attachments in the nature of executions, which shall have been put into the hands of the marshal antecedent to the application.

Trustee may
sue in his
own name.

Sec. 6. *And be it further enacted*, That every trustee may sue for, in his own name, any property or chose in action assigned to him by virtue of this act.

Fraud or
deceit
towards cre-
ditors.

Sec. 7. *And be it further enacted*, That if any creditor, at any time within two years after the application of such debtor, shall allege in writing, to the circuit court of the district of Columbia, or at any other court of the United States, within whose jurisdiction such debtor may be found, that such debtor had at the time of his application as aforesaid, directly or indirectly conveyed, lessened or disposed of any part of his property, rights or credits, with intent to defraud his creditors, or had at any one time within twelve months next preceding said application, lost by gaming more than three hundred dollars, or had assigned or conveyed any part of his property, rights or credits, with intent to give a preference to any creditor or creditors, or any surety, the said court shall thereupon order notice of such allegation to be given in writing to the debtor, and upon his appearance before them, or on his neglect to appear, after proof that notice has been served, the said court shall, within a reasonable time examine the debtor or any other person, upon interrogatories on oath, touching the substance of the said allegations, or may direct an issue or issues to be tried in a summary way, without the form of an action, to determine the truth of the same; and if upon the answer to the said interrogatories, or

Debtor gam-
ing to a cer-
tain extent.

upon the trial of the issue or issues, such debtor shall be found guilty of any fraud or deceit towards his creditors, or of having lost by gaming as aforesaid, or of having given any preference as aforesaid, he shall be precluded from any benefit under this act; and in case such debtor, or any other, testifying either for or against him, shall at any time thereafter be convicted of falsely wilfully and corruptly swearing or affirming to any matter or thing in virtue of this act, he shall suffer as in the case of wilful perjury, and upon such conviction of the debtor, or any other person testifying for him, he shall be forever precluded from any benefit under this act.

False testimony or corrupt swearing or affirming.

How punished.

Sec. 8. *And be it further enacted,* That every judge charged with the execution of this act, may, in the respective cases which may be brought before him, allow the trustee a commission not exceeding eight per centum for his trouble, on the amount of debts paid by him; and if any complaint shall be made to the said judge of the misconduct of any trustee by any creditor, or by the debtor, the said judge may call such trustee before them, and enquire into the cause of complaint, and may make such rules and orders as he may think proper for the accomplishment of the object of the trust, and may in his discretion remove such trustee and appoint another in his place.

Trustee allowed a commission.

Trustee may be superseded for misconduct.

Sec. 9. *And be it further enacted,* That the acting judge may by order, limit and appoint a time for creditors to bring in and exhibit their claims to the trustee, and if the said trustee should think proper to contest any claim exhibited against the debtor, it shall be his duty to report the same to the

Exhibition of claims to the Trustee.

Contested claims how settled.

judge having cognizance of the case, who may examine the creditor and debtor upon oath respecting the same, and may submit to a jury, such issues as shall be proper to settle the points in contest, or may appoint two indifferent persons to act as arbitrators between the parties, with a power, if they differ, to chuse an umpire, and a decision thus made shall be final between the parties; and the said justice may order any part of the debtor's estate to be set apart, and retained for the eventual satisfaction of any contested claim, or to be brought again into distribution; and if any creditor to whom a debt is due, shall collude with a debtor to gain an undue preference, or for the concealment of any part of the debtor's estate or effects or shall contrive or concert any acknowledgment of the debtor by parol, or in writing, to give false color to his claim, such creditor shall lose the whole of his debt.

Provision for contested claims.

Collusion forfeits the debt.

Debtor arrested after being relieved, how to be discharged, and in what cases.

Sec. 10. *And be it further enacted,* That if any debtor who shall have been relieved under this act, shall be arrested or imprisoned on any process sued out on any judgment or decree, obtained against him for any debt, damages, or costs contracted, owing or growing due before his discharge as aforesaid, the court before whom such process shall be returned or returnable, or any judge thereof, shall discharge such debtor; and if any such debtor shall be arrested or imprisoned on any process for the recovery of any debt, damages or costs contracted, owing or growing due before his discharge as aforesaid, the court before whom such process shall be returned, or returnable, or any judge thereof, shall discharge such debtor out of custody, on his common appearance being entered, without

special bail: *Provided*, and it is the true intent and meaning of this act, that no discharge whatever under this act shall be construed or taken as a discharge of any other person from any debt, contract or engagement of any kind or nature soever.

Sec. 11. *And be it further enacted*, That when the acting judge shall as above prescribed, give to the marshal an order for the discharge of a debtor, it shall be the duty of the said judge to lodge with the clerk of the county in which the discharge shall take place, a certificate in the following words, viz "I do hereby certify, that I have this day ordered the marshal of the district of Columbia, to discharge from imprisonment A. B. an insolvent debtor, agreeably to the act of the Congress of the United States, entitled, " An act for the relief of insolvent debtors within the district of Columbia," which said certificate shall be recorded by the said clerk, and a copy thereof under seal, shall be received in evidence, in any court of law in the United States.

The judge shall lodge with the clerk of the county the

Certificate of discharge.

Copy of the recorded certificate evidence in law.

Sec. 12. *And be it further enacted*, That if any judge before whom the operation of this act in any particular case shall have been commenced, shall die, resign his office or become disqualified, the proceedings may be completed by any other judge of the said court, in the same manner as if they had been originally commenced before him.

Unfinished acts of a judge how completed.

Sec. 13. *And be it further enacted*, That the application of the debtor, the appointment of a trustee, the deed from the debtor to the trustee, the several claims exhibited to the trustee and the amount of sales of the debtor's property shall be transmitted to and recorded by the clerk of the county in which

What papers are to be recorded by the county clerk.

Copies of the record legal evidence.

the debtor was confined at the time of his application; copies of which, under seal, shall be received as evidence in any court of law in the United States, and the clerk shall receive the same fees as are fixed by law for the like services in other cases, to be paid by the trustee out of the first proceeds of the debtor's estate that may come into his hands.

Clerks fees how payable.

Limitation to the effect of this discharge.

Sec. 14. *And be it further enacted*, That no discharge of an insolvent debtor under this act shall have a greater effect in any particular state than if such debtor had been discharged under the insolvent debtor's law of any other state.

Circuit court shall determine the allowance of prisoners in civil suits.

Sec. 15. *And be it further enacted*, That the circuit court of the district of Columbia, shall, by a general order to be entered on the records of the said court, fix the daily allowance for the support and maintenance of prisoners in execution for debt or damages in civil suits, which allowance the said court may, by a like general order, increase or diminish from time to time, as circumstances may require. And no person taken in execution for debt or damages in a civil suit, shall be detained in prison therefor, unless the creditor, his agent or attorney, shall after demand thereof by the marshal, pay or give such security, as he may require, to pay such daily allowance, and the prison fees: *provided*, that a release from prison for want of such payment or security, shall not discharge the debt; but the body of the debtor shall never be again taken in execution therefor.

Who shall not be detained unless provided for—by

With prison fees.

Proviso.

Prison bounds in the district.

Sec. 16. *And be it further enacted*, That the said court may cause to be marked and laid out, reasonable bounds of the pri-

sons in the said district, to be recorded in the same court ; and from time to time, may renew, enlarge, or diminish the same. And every prisoner not committed for treason or felony, giving such security to keep within the said bounds, as any judge of the said court shall approve, shall have liberty to walk therein, out of the prison, for the preservation of his health; and keeping continually within the said bounds, shall be adjudged in law a true prisoner.

Liberty of the prisoners under approved security.

Sec. 17. *And be it further enacted,* That the provisions of this act shall not be construed to extend to any debtor who is or shall be imprisoned at the suit of the United States, nor to alter, lessen, or impair the right of the United States, to be first satisfied out of the estates of persons indebted to them; nor to any debtor who has not resided in the district of Columbia one year next preceding his said application.

Public debtors & non-residents a year, excluded the provisions of this act.

NATHL. MACON,

Speaker of the House of Representatives.

STEPHEN R. BRADLEY,

President of the Senate pro tempore.

March 3, 1803.

APPROVED.

TH : JEFFERSON.

CHAPTER LXXXV.

AN ACT directing a detachment from the Militia of the United States, and for erecting certain arsenals.

BE it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the President of the United States be, and he is hereby authorized, whenever he shall judge it expedient, to require of the executives of such of the states as he may deem expedient, and from their local situation shall be most convenient, to take effectual measures to organize, arm and equip, according to law, and hold in readiness to march at a moment's warning a detachment of militia not exceeding eighty thousand, officers included.

Sec. 2. *Be it further enacted*, That the President may if he judges it expedient, authorize the executives of the several states, to accept as part of the detachment aforesaid, any corps of volunteers; who shall engage to continue in service for such time, not exceeding twelve months, and perform such services as shall be prescribed by law.

Sec. 3. *Be it further enacted*, That the detachments of militia and volunteer corps as aforesaid, shall be officered out of the present militia officers, or others, at the option and discretion of the Constitutional authority in each state respectively; the President of the United States apportioning the general officers among the respective states as he may deem proper.

President authorized to order eighty thousand militia in readiness.

Volunteers for a year included.

Appointment of officers.

Sec. 4. *Be it further enacted*, That one million five hundred thousand dollars be appropriated for paying and subsisting such part of the troops aforesaid, whose actual service may be wanted; for the purchase of ordnance and other military stores; and for defraying such other expenses as, during the recess of Congress, the President may deem necessary for the security of the territory of the United States; to be applied under the direction of the President, out of any money in the treasury, not otherwise appropriated. Specific appropriations.

Sec. 5. *And be it further enacted*, That twenty-five thousand dollars be appropriated for erecting at such place or places on the western waters, as the President may judge most proper, one or more arsenals; and that the President cause the same to be furnished with such arms, ammunition and military stores as he may deem necessary.

NATHL. MACON

Speaker of the House of Representatives.

STEPHEN R. BRADLEY,

President of the Senate pro tempore.

March 3, 1803.

APPROVED,

TH: JEFFERSON.

CHAPTER LXXXVI.

AN ACT to alter the time of holding the court of the United States in Kentucky district.

BE it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That from and after the first day of April next, the sessions of the court of the United States for Kentucky district shall commence on the first Mondays in March, July, and November in every year; any law to the contrary notwithstanding.

Sec. 2. *And be it further enacted,* That all suits, process, and proceedings of what nature or kind soever, pending in, or made returnable to the said court, shall, after the said first day of April next, be continued over until the next court to be held in conformity to this act.

NATH^L. MACON,

Speaker of the house of Representatives.

A. BURR.

*Vice President of the United States, and
President of the Senate.*

March 2. 1803.

APPROVED,

TH: JEFFERSON.

CHAPTER LXXXVII.

AN ACT to alter the time for the next meeting of Congress.

BE it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That after the adjournment of the present session, the next meeting of Congress shall be on the first Monday of November next.

NATH^L. MACON,

Speaker of the House of Representatives,

STEPHEN R. BRADLEY,

President of the Senate, pro tempore.

March 3, 1803.

APPROVED,

TH: JEFFERSON.

CHAPTER LXXXVIII.

AN ACT in addition to the act, intituled "An Act regulating the grants of land appropriated for the refugees from the British provinces of Canada and Nova Scotia."

BE it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That Samuel Rogers, one of the claimants under the

act intituled " An act for the relief of the refugees from the British provinces of Canada and Nova Scotia," shall be entitled to two thousand two hundred and forty acres of land to be located in the manner and within the boundaries of the tract designated by the act to which this act is a supplement, and shall receive a patent for the same in the manner directed by the said last mentioned act.

NATHL. MACON,

Speaker of the House of Representatives.

STEPHEN R. BRADLEY,

President of the Senate pro tempore.

March 3, 1803.

APPROVED,

TH: JEFFERSON.

CHAPTER LXXXIX.

AN ACT to prolong the continuance of the Mint at Philadelphia.

BE it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the Act intituled " An act concerning the Mint," approved March 3d, 1801, is hereby continued in force and operation for the term of

five years after the fourth day of March next.

NATH^L. MACON,

Speaker of the House of Representatives.

STEPHEN R. BRADLEY,

President of the Senate pro tempore.

March 3, 1803,

APPROVED,

TH: JEFFERSON.

CHAPTER XC.

AN ACT to make provision for persons that have been disabled by known wounds received in the actual service of the United States, during the revolutionary war.

BE it enacted by the Senate and House of Representatives of the United States of America, in Congress Assembled, That any commissioned officer, non-commissioned officer, soldier, or seaman, disabled in the actual service of the United States, by wounds received during the revolutionary war, and who did not desert the said service, shall be intitled to be placed on the pension list of the United States during life: Provided, that in substantiating the claims thereto, the rules and regulations following, shall be complied with:

Persons entitled to be placed on the pension list.

Proviso.

First. All evidence shall be taken on oath or affirmation before the judge of the dis-

Evidence;

before whom
to be taken.

district in which such invalid reside, or before some person specially authorised by commission from the said judge.

Nature of the
Evidence.

Secondly. The evidence relative to any claimant, must prove decisive disability to have been the effect of known wounds received while in the actual line of his duty, in the service of the United States, during the revolutionary war : that this evidence must be the affidavits of the commanding officer or surgeon of the ship, regiment, corps, or company in which such claimant served, or two other credible witnesses to the same effect, setting forth the time and place of such known wound.

Nature of the
Disability.

Thirdly. Every claimant shall be examined on oath or affirmation, by some respectable physician or surgeon, to be authorised by commission from the said judge, who shall report in writing his opinion, upon oath or affirmation, of the nature of said disability, and in what degree it prevents the claimant from obtaining his livelihood.

Requisite
time of ser-
vice.

Fourthly. Every claimant must produce evidence of his having continued in the service of the United States, to the conclusion of the war in seventeen hundred and eighty-three, or being left out of the service in consequence of his disability, or in consequence of some derangement of the army, and of the mode of life or employment he has since followed, and of the original existence and continuance of his disability.

Cause of de-
ferring the
application to
be stated.

Fifthly. Every claimant must shew satisfactory cause to the said judge of the district, why he did not apply for a pension in conformity to laws heretofore passed,

before the expiration of the limitation thereof.

Sec. 2. *And be it further enacted,* That the said judge of the district or person by him commissioned as aforesaid, shall give to each claimant a transcript of the evidence and proceedings had, respecting his claim; and shall also transmit a list of such claims, accompanied by the evidence herein directed, to the secretary of the department of war, in order that the same may be examined, and if correct, agreeably to the intent and meaning of this act, the said applicants are thenceforth to be placed on the pension list of the United States: Provided that in no case a pension shall commence before the first day of January, eighteen hundred and three, except so far as to offset the commutation of half pay received by such officer, in which case the proper officer is to calculate the pension from the first day of January, seventeen hundred and eighty-four.

Copies of the evidence, &c. to be given to the claimants.

Who are to be placed on the pension list.

Proviso.

Sec. 3. *And be it further enacted,* That the pensions allowed by this act shall be estimated in the manner following, that is to say: a full pension to a commissioned officer shall be considered the one half of his monthly pay as by law established, and the proportions less than a full pension shall be the like proportions of half pay. And a full pension to a non-commissioned officer, private, soldier or seaman, shall be five dollars per month, and the proportions less than a full pension, shall be the like proportions of five dollars per month, but no pension of a commissioned officer shall be calculated at a higher rate than the half pay of a lieutenant colonel.

Estimation of the pensions.

Pensioners to be paid in the manner of former ones.

Sec. 4. *And be it further enacted, That the pensioners becoming such in virtue of this act, shall be paid in the same manner as invalid pensioners are paid, who have heretofore been placed on the pension list of the United States, under such restrictions and regulations, in all respects, as are prescribed by the laws of the United States, in such cases provided.*

NATHL. MACON,

Speaker of the House of Representatives.

STEPHEN R. BRADLEY,

President of the Senate pro tempore.

March 3, 1803.

APPROVED,

TH : JEFFERSON.

CHAPTER XCI.

AN ACT for the relief of Joshua Harvey, and others.

BE it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That Joshua Harvey, Augustine Baughan, Isaiah Mankin, Richard Caton, and Frederick Kast, shall not, nor shall either of them be liable to imprisonment for any debt or debts contracted by them to the United States, prior to the

committing of the several acts of bankruptcy, upon which they were respectively declared bankrupts: Provided that nothing herein contained shall be construed in any manner to impair the right of the United States, to satisfaction of any debt due from either of the above named persons, out of any property which they may hereafter respectively acquire, or out of the effects of the said bankrupts, which are now in, or may hereafter come to the hands of the respective assignees, nor to affect any security which may have been given by the said bankrupts: *And provided also*, that in case it shall at any time appear, that either of the said bankrupts has been guilty of any concealment of property, or of any manner of fraud, in violation of the provisions of the act intitled "An act to establish a uniform system of bankruptcy throughout the United States," such person against whom such fraud or concealment shall be so proved, shall forfeit and lose the whole benefit of this act.

NATH^L. MACON,

Speaker of the House of Representatives.

STEPHEN R. BRADLEY.

President of the Senate pro tempore.

March 3, 1803.

APPROVED,

TH: JEFFERSON.

CHAPTER XCII.

AN ACT Authorising the transfer of the duties of Supervisor to any other officer.

BE it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the President of the United States be and he hereby is authorised to attach the duties of the officer of Supervisor in any district to any other officer of the government of the United States, within such district, who shall give bond for the performance of the duties imposed on him by this act, in the same manner and under the same penalties, as were heretofore provided in the case of supervisors.

Sec. 2. *And be it further enacted, That for the discharge of the duties of supervisor which may be thus attached to another office, by virtue of this act, there shall be allowed to the officer exercising the same, the commissions to which the supervisor is now entitled, by law, together with such sum for clerk hire, not exceeding the allowance fixed by law for the supervisor, and such salary not exceeding two hundred and fifty dollars per annum, as the President of the United States shall deem a sufficient compensation.*

NATHL. MACON,
Speaker of the House of Representatives.

STEPHEN R. BRADLEY,
President of the Senate pro tempore.

March 3, 1803.

APPROVED,

TH: JEFFERSON.

CHAPTER XCIII.

AN ACT In addition to an act, intituled
 “An act to amend the judicial system
 of the United States.”

BE it enacted by the Senate and House of
 Representatives of the United States
 of America, in Congress assembled, That
 the circuit court of the second circuit shall
 consist of the justice of the supreme court
 residing within the third circuit, and the
 district judge of the district where such court
 shall be holden.

In the third circuit, the said circuit court
 shall consist of the senior associate justice
 of the supreme court residing within the
 fifth circuit, and the district judge of the
 district where such court shall be holden.

Sec. 2. *And be it further enacted*, That
 from all final judgements or decrees in any of
 the district courts of the United States, an
 appeal, where the matter indispute, exclusive
 of costs, shall exceed the sum or value of
 fifty dollars, shall be allowed to the circuit
 court next to be holden in the district where
 such final judgment or judgements, decree
 or decrees, may be rendered; and the circuit
 court or courts are hereby authorised and
 required to receive, hear and determine such
 appeal; and that from all final judgements or
 decrees rendered or to be rendered in any
 circuit court, or in any district court acting
 as a circuit court, in any cases of equity of
 admiralty and maritime jurisdiction, and of
 prize or no prize, an appeal where the mat-
 ter in dispute, exclusive of costs, shall ex-
 ceed the sum or value of two thousand dollars,

shall be allowed to the supreme court of the United States, and that upon such appeal, a transcript of the libel, bill, answer, depositions, and all other proceedings of what kind soever in the cause, shall be transmitted to the said supreme court; and that no new evidence shall be received in the said court, on the hearing of such appeal, except in admiralty and prize causes, and that such appeals shall be subject to the same rule, regulations and restrictions as are prescribed in law in case of writs of error; and that the said supreme court shall be, and hereby is authorised and required to receive, hear and determine such appeals. And that so much of the nineteenth and twenty second sections of the act of Congress, entitled "An act to establish the judicial courts of the United States," passed on the twenty fourth day of September, one thousand seven hundred and eighty-nine, as comes within the purview of this act, shall be and the same is hereby repealed.

NATH^L. MACON,

Speaker of the House of Representatives.

STEPHEN R. BRADLEY,

President of the Senate pro tempore.

March 3, 1803.

APPROVED,

TH: JEFFERSON

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CONVENTION

BETWEEN THE

FRENCH REPUBLIC

AND THE

UNITED STATES

OF

A M E R I C A.

BY THE PRESIDENT
OF THE
UNITED STATES OF AMERICA,
A PROCLAMATION.

WHEREAS a Convention for terminating certain differences which had arisen between the United States of America and the French Republic, was concluded and signed by the Plenipotentiaries of the two nations, duly and respectively authorised for that purpose, and was duly ratified and confirmed by the President of the United States, with the advice and consent of the Senate, which convention so ratified is in the form following :

JOHN ADAMS,

President of the United States of America—To all and singular to whom these presents shall come GREETING—

WHEREAS a certain Convention between the United States of America and the French Republic was concluded and signed between their Plenipotentiaries, the honorable Oliver Ellsworth, William Richardson Dwyer, and William Vans Murray, Esquires, their envoys extraordinary and ministers plenipotentiary to the French Republic, and the plenipotentiaries of the French Republic, the citizens Joseph Bonaparte, Charles Pierre Claret Fleurieu, and Pierre Louis Koderer, at Paris, on the 30th day of September last past, which convention is word for word, as follows, to wit :

CONVENTION

ENTRE

LA REPUBLIQUE FRANCAISE

ET

LES ETATS-UNIS D'AMERIQUE.

BONAPARTE, PREMIER CONSUL, AU NOM DU PEUPLE FRANÇAIS, les CONSULS DE LA REPUBLIQUE ayant vu et examiné la Convention conclue, arrêtée et signée à Paris le huit Vendémiaire an neuf de la République Française (Trente Septembre, Mil huit cent) par les Citoyens Joseph Bonaparte, Fleurieu et Roederer, Conseillers d'Etat, en vertu des pleins-pouvoirs qui leur avaient été conférés à cet Effet, avec Messieurs Ellsworth, Davie et Murray, Ministres Plénipotentiaires des Etats-Unis, également munis de pleins-pouvoirs, de laquelle Convention la teneur suit.

CONVENTION
BETWEEN THE
FRENCH REPUBLIC
AND THE
UNITED STATES OF AMERICA.

THE Premier Consul of the French Republic in the name of the people of France, and the President of the United States of America, equally desirous to terminate the differences which have arisen between the two States, have respectively appointed their plenipotentiaries, and given them full powers to treat upon those differences, and to terminate the same; that is to say, the Premier Consul of the French Republic, in the name of the people of France, has appointed for the Plenipotentiaries of the said republic, the Citizens Joseph Bonaparte, ex-ambassador at Rome and Counsellor of State; Charles Pierre Claret Fleurieu, member of the National Institute, and of the Board of Longitude, of France, and Counsellor of State, President of the Section of Marine; and Pierre Louis Rœderer, Member of the National Institute of France,

LE PREMIER CONSUL de la République Française au nom du Peuple Français, et le PRÉSIDENT des Etats-Unis d'Amérique, également animés du désir de mettre fin aux différends qui sont survenus entre les deux Etats, ont respectivement nommé leurs Plénipotentiaires, et leur ont donné plein-pouvoir pour négocier sur ces différends et les terminer ; c'est à dire, le PREMIER CONSUL de la République Française, au nom du Peuple Français, a nommé pour plénipotentiaires de la dite République, les Citoyens *Joseph Bonaparte*, ex-ambassadeur de la République Française à Rome et Conseiller d'Etat, *Charles Pierre Claret Flcurieu*, Membre de l'Institut National et du Bureau des Longitudes de France, et Conseiller d'Etat, Président de la Section de la Marine, et *Pierre Louis Roederer*, membre de l'Institut National de France, et Con-

and Counsellor of State, President of the Section of the Interior ; and the President of the United States of America, by and with the advice and consent of the Senate of the said states, has appointed for their Plenipotentiaries, Oliver Ellsworth, Chief Justice of the United States, William Richardson Davie, late Governor of the State of North Carolina, and William Vans Murray, Minister resident of the United States at the Hague ; who, after having exchanged their full powers, and after full and mature discussion of the respective interests, have agreed on the following articles.

ARTICLE I. There shall be a firm, inviolable, and universal peace, and a true and sincere friendship between the French Republic and the United States of America ; and between their respective countries, territories, cities, towns and people, without exception of persons or places.

ART. II. The Ministers Plenipotentiary of the two parties not being able to agree at present respecting the treaty of alliance of 6th February 1778, the treaty of amity and commerce of the same date, and the convention of 14th of November 1788, nor upon the indemnities mutually due or claimed ; the parties will negotiate further on these subjects at a convenient time, and until they may have agreed upon these points, the said treaties and convention shall have no operation, and the relations of the two countries shall be regulated as follows.

seiller d'Etat, Président de la Section de l'Intérieur; et le PRÉSIDENT des Etats-Unis, d'Amérique, par et avec l'avis et le consentement du Sénat des dits Etats, a nommé pour leurs Plénipotentiaires, *Olivier Ellsworth*, Chef de la Justice des Etats-Unis; *William Richardson Davie*, ci-devant Gouverneur de l'Etat de la Caroline septentrionale, et *William Van Murray*, Ministre résident des Etats-Unis à la Haye.

Lesquels, après avoir fait l'échange de leurs pleins-pouvoirs longuement et mûrement discuté les Intérêts respectifs, sont convenus des articles suivans.

ARTICLE I. Il y aura une paix ferme, inviolable et universelle, et une amitié vraie et sincère, entre la République Française et les Etats-Unis d'Amérique, ainsi qu'entre leurs pays, territoires, villes et places, et entre leurs citoyens et habitans, sans exception de personnes ni de lieux.

ART. II. Les Ministres Plénipotentiaires des deux parties ne pouvant pour le présent s'accorder relativement au Traité d'Alliance du 6 Février 1778, au Traité d'Amitié et de commerce de la même date, et à la Convention en date du 14 Novembre 1783, non plus que relativement aux indemnités mutuellement dues ou réclamées, les parties négocieront ultérieurement sur ces objets, dans un tems convenable: et jusqu'à ce qu'elles se soient accordées sur ces points, les dits Traités et convention n'auront point d'effet, et les relations des deux Nations seront réglées ainsi qu'il suit.

ART. III. The public ships, which have been taken on one part and the other, or which may be taken before the exchange of ratifications, shall be restored.

ART. IV. Property captured, and not yet definitively condemned, or which may be captured before the exchange of ratifications (contraband goods destined to an enemy's port excepted) shall be mutually restored on the following proofs of ownership: viz. The proof on both sides with respect to merchant ships, whether armed or unarmed, shall be a passport in the form following:

“ To all who shall see these presents,

GREETING :

“ It is hereby made known that leave and permission has been given to master and commander of the ship called of the town of

burthen tons, or thereabouts, lying at present in the port and haven of and bound for and

laden with after that his ship has been visited, and before sailing, he shall make oath before the officers who have the jurisdiction of maritime affairs, that the said ship belongs to one or more of the subjects of the act whereof

shall be put at the end of these presents, as likewise that he will keep, and cause to be kept by his crew on board, the marine ordinances and regulations, and enter in the proper office a list, signed and witnessed, containing the names and surnames, the places of birth and abode of the crew of his ship, and of all who shall embark on board

ART. III. Les Bâtimens d'Etats qui ont été pris de part et d'autre, ou qui pourraient être pris avant l'échange des ratifications seront rendus.

ART. IV. Les propriétés capturées et non encore condamnées définitivement, ou qui pourront être capturées avant l'échange des ratifications, excepté les marchandises de contrebande destinées pour un port ennemi, seront rendues mutuellement sur les preuves suivantes de propriété ; *Savoir* :

De part et d'autre, les preuves de propriété relativement aux navires marchands, armés ou non armés, seront un passeport de la forme suivante :

“ *A tous ceux* qui les présentes verront, soit notoire que faculté et permission a été accordée à maître ou commandant du navire, appelé de la ville de

de la capacité de tonneaux ou environ, se trouvant présentement dans le port et hâvre de et destiné pour

chargé de qu'après que son navire a été visité et avant son départ, il prètera serment entre les mains des officiers autorisés à cet effet ; que le dit navire appartient à un ou plusieurs sujets de

dont l'acte sera mis à la fin des présentes ; de même qu'il gardera et fera garder par son équipage, les ordonnances et réglemens maritimes, et remettra une liste signée et confirmée par témoins, contenant les noms et surnoms, les lieux de naissance, et la Demeure des Personnes composant l'équipage de son navire, et de

her ; whom he shall not take on board without the knowledge and permission of the officers of the marine, and in every port or haven where he shall enter with his ship, he shall shew this present leave to the officers and judges of the marine, and shall give a faithful account to them of what passed and was done during his voyage ; and he shall carry the colours, arms and ensigns of the [French republic or the United States] during his voyage. In witness whereof we have signed these presents, and put the seal of our arms thereunto, and caused the same to be countersigned by _____ at
 the _____ day of
 anno Domini ”

And this passport will be sufficient without any other paper, any ordinance to the contrary notwithstanding : which passport shall not be deemed requisite to have been renewed or recalled, whatever number of voyages the said ship may have made, unless she shall have returned home within the space of a year.—Proof with respect to the cargo shall be certificates, containing the several particulars of the cargo, the place whence the ship sailed and whither she is bound, so that the forbidden and contraband goods may be distinguished by the certificates ; which certificates shall have been made out by the officers of the place whence the ship set sail, in the accustomed form of the country. And if such passport or certificates, or both shall have been destroyed by accident, or taken away by force, their deficiency may be supplied by such

tous ceux qui s'y embarqueront, lesquels il ne recevra pas à bord sans la connaissance et permission des officiers autorisés à ce ; et dans chaque port ou hâvre où il entrera avec son navire, il montrera la présente permission aux officiers à ce autorisés, et leur fera un rapport fidèle de ce qui s'est passé durant son voyage ; et il portera les couleurs, armes et enseignes (de la République Française ou des États Unis) durant son dit voyage. En témoin de quoi nous avons signé les présentes, les avons fait contresigner par _____ et y avons fait apposer le sceau de nos armes.

Donné à

le

de

l'an

de grace, le

”

Et ce passeport suffira sans autre pièce, non obstant tout règlement contraire. Il ne sera pas exigé que ce passeport ait été renouvelé ou révoqué, quelque nombre de voyages que le dit navire ait pu faire, à moins qu'il ne soit revenu chez lui dans l'espace d'une année.

Par rapport à la cargaison, les preuves seront des certificats contenant le détail de la cargaison, du lieu d'où le Bâtiment est parti et de celui où il va, de manière que les marchandises défendues et de contrebande puissent être distinguées par les certificats, lesquels certificats auront été faits par les officiers de l'endroit d'où le navire sera parti, dans la forme usitée dans le pays ; et si ces passeports ou certificats, ou les uns et les autres ont été détruits par accident, ou enlevés de force, leur Défaut

other proofs of ownership, as are admissible by the general usage of nations. Proof with respect to other than merchant ships shall be the commission they bear.

This article shall take effect from the date of the signature of the present convention. And if, from the date of the said signature, any property shall be condemned contrary to the intent of the said convention, before the knowledge of this stipulation shall be obtained; the property so condemned shall without delay be restored or paid for.

ART. V. The debts contracted by one of the two nations with individuals of the other, or by the individuals of one with the individuals of the other, shall be paid, or the payment may be prosecuted in the same manner as if there had been no misunderstanding between the two states. But this clause shall not extend to indemnities claimed on account of captures or confiscations.

ART. VI. Commerce between the parties shall be free. The vessels of the two nations and their privateers, as well as their prizes, shall be treated in their respective ports as those of the nation the most favoured; and, in general, the two parties shall enjoy in the ports of each other, in regard to commerce and navigation, the privileges of the most favored nation.

ART. VII. The citizens and inhabitants of the United States shall be at liberty to dispose by testament, donation, or other-

pourra être supplée par toutes les autres preuves de propriété admissibles d'après l'usage général des Nations.

Pour les Bâtimens autres que les navires marchands, les preuves seront la Commission dont il sont porteurs. Cet article aura son effet à dater de la signature de la présente convention ; et si à dater de la dite signature, des propriétés sont condamnées contrairement à lésprit de la dite convention, avant qu'on ait connaissance de cette stipulation la propriété ainsi condamnée sera, sans délai, rendue ou payée.

ART. V. Les Dettes contractées par l'une des deux nations envers les particuliers de l'autre, ou par des particuliers de l'une envers des particuliers de l'autre, seront acquittées ou le payement en sera poursuivi comme s'il n'y avait eu aucune mésintelligence entre les deux Etats ; mais cette clause ne s'étendra point aux indemnités réclamées pour des captures ou pour des condamnations.

ART. VI. Le commerce entre les deux Parties sera libre : les vaisseaux des deux nations et leurs corsaires, ainsi que leurs prises, seront traités dans les ports respectifs comme ceux de la nation la plus favorisée, et, en general, les deux parties jouiront dans les ports l'une de l'autre, par rapport au commerce et à la navigation, des privilèges de la nation la plus favorisée.

ART. VII. Les Citoyens et Habitans des Etats-Unis pourront disposer par testament, donation ou autrement, de leurs

wise, of their goods, moveable and immoveable, holden in the territory of the French Republic in Europe, and the citizens of the French Republic shall have the same liberty with regard to goods, moveable and immoveable, holden in the territory of the United States, in favor of such persons as they shall think proper. The citizens and inhabitants of either of the two countries, who shall be heirs of goods, moveable or immoveable, in the other, shall be able to succeed *ab intestato*, without being obliged to obtain letters of naturalization, and without having the effect of this provision contested or impeded, under any pretext whatever; and the said heirs, whether such by particular title, or *ab intestato*, shall be exempt from every duty whatever in both countries. It is agreed that this article shall in no manner derogate from the laws which either state may now have in force, or hereafter may enact, to prevent emigration; and also that in case the laws of either of the two states should restrain strangers from the exercise of the rights of property with respect to real estate, such real estate may be sold, or otherwise disposed of, to citizens or inhabitants of the country where it may be, and the other nation shall be at liberty to enact similar laws.

ART. VIII. To favor commerce on both sides, it is agreed, that, in case a war should break out between the two nations, which God forbid, the term of six months after the declaration of war shall be allowed

biens, meubles et immeubles possédés dans le territoire Européen de la République Française ; et les citoyens de la République Française auront la même faculté à l'égard des biens, meubles et immeubles possédés dans le Territoire des États-Unis, en faveur de telle personne que bon leur semblera. Les citoyens et habitans d'un des deux États, qui seront héritiers des Biens, meubles ou immeubles situés dans l'autre, pourront succéder *ab intestat*, sans qu'ils ayent besoin de lettres de naturalité, et sans que l'effet de cette stipulation, leur puisse être contesté ou empêché, sous quelque prétexte que ce soit ; et seront les dits héritiers, soit à titre particulier, soit *ab intestat*, exempts de tout droit quelconque chez les deux nations. Il est convenu que cet article ne dérogera en aucune manière aux lois qui sont à présent en vigueur chez les deux nations ou qui pourraient être promulguées à la suite contre l'emigration, et aussi que dans le cas où les lois de l'un des deux États limiteraient pour les étrangers l'exercice des droits de la propriété sur les immeubles on pourrait vendre ces immeubles ou en disposer autrement en faveur d'habitans ou de citoyens du pays où ils seraient situés, et il sera libre à l'autre nation d'établir de semblables lois.

ART. VIII. Pour favoriser de part et d'autre le commerce, il est convenu que si, ce qu'à Dieu ne plaise, le guerre éclatait entre les deux nations, on allouera, de part et d'autre, aux marchands et autres citoyens

to the merchants and other citizens and inhabitants respectively, on one side and the other, during which time they shall be at liberty to withdraw themselves, with their effects and moveables, which they shall be at liberty to carry, send away or sell, as they please, without the least obstruction; nor shall their effects, much less their persons be seized, during such term of six months; on the contrary, passports, which shall be valid for a time necessary for their return, shall be given to them for their vessels and the effects which they shall be willing to send away or carry with them; and such passports shall be a safe conduct against all insults and prizes which privateers may attempt against their persons and effects. And if any thing be taken from them, or any injury done to them or their effects, by one of the parties, their citizens or inhabitants, within the term above prescribed, full satisfaction shall be made to them on that account.

ART. IX. Neither the debts due from individuals of the one nation to individuals of the other, nor shares, nor monies, which they may have in public funds, or in the public or private banks, shall ever, in any event of war or of national difference, be sequestered or confiscated.

ART. X. It shall be free for the two contracting parties to appoint commercial agents for the protection of trade, to reside in France and the United States. Either party

ou habitans respectifs, six mois après la déclaration de guerre, pendant lequel tems ils auront la faculté de se retirer avec leurs effets et meubles qu'ils pourront emmener, envoyer ou vendre, comme ils les voudront, sans le moindre empêchement. Leurs effets, et encore moins leurs personnes, ne pourront point, pendant ce tems de six mois, être saisis; au contraire, on leur donnera des passeports qui seront valables pour le tems nécessaire à leur retour chez eux; et ces passeports seront donnés pour eux, ainsi que pour leur bâtimens et effets qu'ils désireront emmener ou envoyer. Ces passeports serviront de sauf-conduit contre toute insulte et contre toute capture de la part des corsaires, tant contre eux que contre leur effets; et si, dans le terme ci-dessus désigné, il leur était fait par l'une des parties, ces citoyens ou ses habitans, quelque tort dans leur personnes ou dans leurs effets, on leur en donnera satisfaction complète.

ART. IX. Les dettes dues par des individus de l'une des deux nations aux individus de l'autre, ne pourront, dans aucun cas de guerre, ou de démêlés nationaux, être séquestrées ou confisquées non plus que les actions ou fonds qui se trouveraient dans les fonds publics, ou dans des banques publiques ou particulières.

ART. X. Les deux parties contractantes pourront nommer, pour protéger le négoce, des agens commerciaux qui résideront en France et dans les États-Unis; chacune des parties pourra excepter telle

may except such place, as may be thought proper, from the residence of those agents. Before any agent shall exercise his functions, he shall be accepted in the usual forms by the party to whom he is sent ; and when he shall have been accepted and furnished with his execuatur, he shall enjoy the rights and prerogatives of the similar agents of the most favored nations.

ART. XI. The citizens of the French Republic shall pay in the ports, havens, roads, countries, islands, cities and towns of the United States, no other, or greater duties or imposts, of what nature soever they may be, or by what name soever called, than those which the nations most favored are, or shall be obliged to pay; and they shall enjoy all the rights, liberties, privileges, immunities and exemptions in trade, navigation and commerce, whether in passing from one port in the said states to another, or in going to and from the same from and to any part of the world, which the said nations do or shall enjoy. And the citizens of the United States shall reciprocally enjoy in the territories of the French Republic in Europe, the same privileges and immunities, as well for their property and persons, as for what concerns trade, navigation and commerce.

ART. XII. It shall be lawful for the citizens of either country to sail with their ships and merchandize (contraband goods always excepted) from any port whatever, to any port of the enemy of the other, and

place qu'elle jugera à propos, des lieux où la résidence de ces agens pourra être fixée. Avant qu'aucun agent puisse exercer ses fonctions, il devra être accepté, dans les formes reçues, par la partie chez laquelle il est envoyé ; et quand il aura été accepté et pourvu de son *Exequatur*, il jouira des droits et prérogatives dont jouissent les Agens semblables des nations le plus favorisées.

ART. XI. Les citoyens de la République Française ne payeront dans les ports, havres, rades, contrées, isles, cités et lieux des Etats-Unis, d'autres ni de plus grands droits, impôts de quelque nature qu'ils puissent être, quelque nom qu'ils puissent avoir, que ceux que les nations les plus favorisées sont ou seront tenues de payer ; et ils jouiront de tous les droits, libertés, privilèges, immunités, et exemptions en fait de négoce, navigation et commerce, soit en passant d'un port des dits Etats à un autre, soit en y allant ou en revenant de quelque partie ou pour quelque partie du monde que ce soit, dont les nations susdites jouissent ou jouiront. Et réciproquement, les citoyens des Etats-Unis jouiront, dans le Territoire de la République Française en Europe, des mêmes privilèges, immunités, tant pour leurs biens et leurs personnes, que pour ce qui concerne le négoce, la navigation et le commerce.

ART. XII. Les citoyens des deux nations pourront conduire leurs vaisseaux et marchandises (*en exceptant toujours la contrebande*) de tout port quelconque, dans un autre port appartenant à l'ennemi de

to sail and trade with their ships and merchandize, with perfect security and liberty, from the countries, ports and places of those who are enemies of both, or of either party, without any opposition or disturbance whatsoever, and to pass not only directly from the places and ports of the enemy aforementioned, to neutral ports and places, but also from one place belonging to an enemy, to another place belonging to an enemy, whether they be under the jurisdiction of the same power, or under the several; unless such ports or places shall be actually blockaded, besieged or invested.

And whereas it frequently happens, that vessels sail for a port or place belonging to an enemy, without knowing that the same is either besieged, blockaded or invested, it is agreed that every vessel, so circumstanced, may be turned away from such port or place, but she shall not be detained, nor any part of her cargo, if not contraband, be confiscated, unless, after notice of such blockade or investment, she shall again attempt to enter; but she shall be permitted to go to any other port or place she shall think proper. Nor shall any vessel of either, that may have entered into such port or place before the same was actually besieged, blockaded, or invested by the other, be restrained from quitting such place with her cargo, nor if found therein after the reduction and surrender of such place, shall such vessel or her cargo be liable to confiscation, but they shall be restored to the owners thereof.

l'autre nation; ils pourront naviguer et commercer en toute liberté et sécurité, avec leurs navires et marchandises, dans les pays, ports et places des ennemis des deux parties ou de l'une ou de l'autre partie, sans obstacles et sans entraves, et non seulement passer directement des places et ports de l'ennemi sus mentionnés, dans les ports et places neutres, mais encore de toute place appartenant à un ennemi dans toute autre place appartenant à un ennemi, qu'elle soit ou ne soit pas soumise à la même juridiction, à moins que ces places ou ports ne soient réellement bloqués, assiégés ou investis.

Et dans le cas, comme il arrive souvent, où les vaisseaux feraient voile pour une place ou port appartenant à un ennemi, ignorant qu'ils sont bloqués, assiégés ou investis, il est convenu que tout navire qui se trouvera dans une pareille circonstance, sera détourné de cette place ou port, sans qu'on puisse le retenir ni confisquer aucune partie de sa cargaison (*à moins qu'elle ne soit de contrebande, ou qu'il ne soit prouvé que le dit navire, après avoir été averti du blocus ou investissement, a voulu rentrer dans ce même port*); mais il lui sera permis d'aller dans tout autre port ou place qu'il jugera convenable. Aucun navire de l'une ou de l'autre nation, entré dans un port ou place avant qu'ils aient été réellement bloqués, assiégés ou investis par l'autre, ne pourra être empêché de sortir avec sa cargaison: s'il s'y trouve, lorsque la dite place sera rendue, le navire et sa cargaison ne pourront être confisqués, mais seront remis aux propriétaires.

ART. XIII. In order to regulate what shall be deemed contraband of war, there shall be comprised under that denomination, gun-powder, salpêtre, petards, match, ball, bombs, grenades, carcasses, pikes, halberts, swords, belts, pistols, holsters, cavalry saddles and furniture, cannon, mortars, their carriages and beds, and generally all kinds of arms, ammunition of war, and instruments fit for the use of troops; all the above articles, whenever they are destined to the port of an enemy, are hereby declared to be contraband, and just objects of confiscation; but the vessel in which they are laden, and the residue of the cargo, shall be considered free, and not in any manner infected by the prohibited goods, whether belonging to the same, or a different owner.

ART. XIV. It is hereby stipulated that free ships shall give a freedom to goods, and that every thing shall be deemed to be free and exempt which shall be found on board the ships belonging to the citizens of either of the contracting parties, although the whole lading, or any part thereof, should appertain to the enemies of either, contraband goods being always excepted. It is also agreed, in like manner, that the same liberty be extended to persons who are on board a free ship, with this effect, that although they be enemies to either party, they are not to be taken out of that free ship, unless they

ART. XIII. Pour régler ce qu'on entendra par contrebande de guerre, seront compris sous cette dénomination la poudre, le salpêtre, les pétards, mèches, balles, boulets, bombes, grenades, carcasses, piques, hallebardes, épées, ceinturons, pistolets, fourreaux, selles de cavalerie, harnais, canons, mortiers avec leurs affûts, et généralement toutes armes et munitions de guerre et ustensiles, à l'usage des troupes. Tous les articles ci-dessus, toutes les fois qu'ils seront destinés pour le port d'un ennemi, sont déclarés de contrebande et justement soumis à la confiscation. Mais le bâtiment sur lequel ils étaient chargés, ainsi que le reste de la cargaison, seront regardés comme libres, et ne pourront en aucune manière être viciés par les marchandises de contrebande, soit qu'ils appartiennent à un même ou à différens propriétaires.

ART. XIV. Il est stipulé par le présent traité que les bâtimens libres assureront également la liberté des marchandises, et qu'on jugera libres toutes les choses qui se trouveront à bord des navires appartenant aux citoyens d'une des parties contractantes, quand même le chargement ou partie d'icelui appartiendrait aux ennemis de l'une des deux ; bien entendu néanmoins que la contrebande sera toujours excepté. Il est également convenu que cette même liberté s'étendra aux personnes qui pourraient se trouver à bord du bâtiment libre, quand même elles seraient ennemies de l'une de deux parties contractantes, et elles ne pourront être enlevées des dits navires

are soldiers and in actual service of the enemy.

ART. XV. On the contrary, it is agreed, that whatever shall be found to be laden by the citizens of either party on any ship belonging to the enemies of the other, or their citizens, shall be confiscated without distinction of goods, contraband or not contraband, in the same manner as if it belonged to the enemy, except such goods and merchandizes as were put on board such ship before the declaration of war, or even after such declaration, if so be it were done without knowledge of such declaration; so that the goods of the citizens of either party whether they be of the nature of such as are prohibited, or otherwise, which, as is aforesaid, were put on board any ship belonging to an enemy, before the war, or after the declaration of the same, without the knowledge of it, shall no ways be liable to confiscation; but shall well and truly be restored without delay to the proprietors demanding the same; but so as that if the said merchandizes be contraband, it shall not be any ways lawful to carry them afterwards to any ports belonging to the enemy. The two contracting parties agree, that the term of two months being passed after the declaration of war, their respective citizens, from whatever part of the world they come, shall not plead the ignorance mentioned in this article.

ART. XVI. The merchant ships belonging to the citizens of either of the contracting parties, which shall be bound

libres, à moins qu'elles ne soient militaires et actuellement au service de l'ennemi.

ART. XV. On est convenu, au contraire que tout ce qui se trouvera chargé par les citoyens respectifs, sur des navires appartenant aux ennemis de l'autre partie ou à leurs sujets, sera confisqué, sans distinctions des marchandises prohibées ou non prohibées, ainsi et de même que si elles appartaient à l'ennemi, à l'exception toutefois des effets et marchandises qui auront été mis à bord des dits navires avant la déclaration de guerre, ou même après la dite déclaration, si, au moment du chargement, on a pu l'ignorer; de manière que les marchandises des citoyens des deux parties, soit qu'elles se trouvent du nombre de celles de contrebande ou autrement, lesquelles, comme il vient d'être dit, auront été mises à bord d'un vaisseau appartenant à l'ennemi avant la guerre, ou même après la dite déclaration lorsqu'on l'ignorait, ne seront, en aucune manière, sujettes à confiscation, mais seront fidèlement et de bonne foi rendues, sans délai, à leurs propriétaires qui les réclameront; bien entendu néanmoins qu'il ne soit pas permis de porter dans les ports ennemis les marchandises qui seront de contrebande. Les deux parties contractantes conviennent que le terme de deux mois passé depuis la déclaration de guerre, leurs citoyens respectifs, de quelque partie du monde qu'ils viennent, ne pourront plus alléguer l'ignorance dont il est question dans le présent article.

ART. XVI. Les navires marchands appartenant à des citoyens de l'une ou d'autre

to a port of the enemy of one of the parties, and concerning whose voyage, and the articles of their cargo, there shall be just grounds of suspicion, shall be obliged to exhibit, as well upon the high seas as in the ports or roads, not only their passports, but likewise their certificates, shewing that their goods are not of the quality of those which are specified to be contraband in the thirteenth article of the present convention.

ART. XVII. And that captures on light suspicions may be avoided, and injuries thence arising prevented, it is agreed, that when one party shall be engaged in war, and the other party be neuter, the ships of the neutral party shall be furnished with passports similar to that described in the fourth article, that it may appear thereby that the ships really belong to the citizens of the neutral party; they shall be valid for any number of voyages, but shall be renewed every year, that is, if the ship happens to return home in the space of a year. If the ships are laden, they shall be provided not only with the passports above mentioned, but also with certificates similar to those described in the same article, so that it may be known whether they carry any contraband goods. No other paper shall be required, any usage or ordinance to the contrary notwithstanding. And if it shall not appear from the said certificates that there are contraband goods on board, the ships shall be permitted to proceed on their voyage. If it shall appear from the

des deux parties contractantes, lorsqu'ils voudront passer dans le port de l'ennemi de l'une des deux parties, et que leur voyage ainsi que les effets de leur cargaison pourront donner de justes soupçons, les dits navires seront obligés d'exhiber en pleine mer, comme dans les ports ou rades, non seulement leurs passeports, mais encore leurs certificats prouvant que ces effets ne sont point de la même espèce que ceux de contrebande spécifiés dans l'article treize de la présente convention.

ART. XVII. Et afin d'éviter des captures sur des soupçons frivoles, et de prévenir les dommages qui en résultent, il est convenu que, quand une des deux parties sera en guerre et l'autre neutre, les navires de la partie neutre seront pourvus de passeports semblables à ceux spécifiés dans l'article quatre, de manière qu'il puisse par là apparaître que les navires appartiennent véritablement à la partie neutre. Ces passeports seront valides pour un nombre quelconque de voyages ; mais il seront renouvelés chaque année, si le navire retourne chez lui dans l'espace d'une année. Si ces navires sont chargés, ils seront pourvus non seulement des passeports sus mentionnés mais aussi de certificats semblables à ceux mentionnés au même article, de manière que l'on puisse connaître s'il y a à bord des marchandises de contrebande. Il ne sera exigé aucune autre pièce, non obstant tous usages et réglemens contraires ; et s'il n'apparaît pas par ces certificats qu'il y ait des marchandises de contrebande à bord, les navires seront laissés à leur destination.

certificates, that there are contraband goods on board any such ship, and the commander of the same shall offer to deliver them up, the offer shall be accepted, and the ship shall be at liberty to pursue its voyage, unless the quantity of the contraband goods be greater than can conveniently be received on board the ship of war or privateer, in which case the ship may be carried into port, for the delivery of the same.

If any ship shall not be furnished with such passport or certificates as are above required for the same, such case may be examined by a proper judge or tribunal, and if it shall appear from other documents or proofs, admissible by the usage of nations, that the ship belongs to the citizens of the neutral party, it shall not be confiscated, but shall be released with her cargo (contraband goods excepted) and be permitted to proceed on her voyage.

If the master of a ship, named in the passport, should happen to die or be removed by any other cause, and another put in his place, the ship and cargo shall nevertheless be equally secure, and the passport remain in full force.

ART. XVIII. If the ships of the citizens of either of the parties shall be met with, either sailing along the coasts, or on the high seas, by any ship of war or privateer of the other; for the avoiding of any disorder, the said ships of war or privateers shall remain out of cannon shot, and may send their boats on board the merchant ship

Si, au contraire, il apparaît, par ces certificats, que les dits navires ayent des marchandises de contrebande à bord, et que le commandant offre de les délivrer, l'offre sera acceptée, et le navire sera remis en liberté de poursuivre son voyage ; à moins que la quantité de marchandises de contrebande ne soit trop grande pour pouvoir être prise convenablement à bord du vaisseau de guerre ou corsaire ; dans ce cas le navire pourra être amené dans le port pour y délivrer la dite marchandise.

Si un navire est trouvé sans avoir le passeport ou les certificats ci-dessus exigés, l'affaire sera examinée par les juges ou tribunaux compétens ; et s'il conste par d'autres documens ou preuves admissibles par l'usage des nations, que le navire appartient à des citoyens de la partie neutre, il ne sera pas condamné, et il sera remis en liberté avec son chargement, la contrebande exceptée, et aura la liberté de poursuivre sa route.

Si le capitaine nommé dans le passeport du navire venait à mourir, ou à être ôté par toute autre cause, et qu'un autre fut nommé à sa place, le navire et sa cargaison n'en seront pas moins en sûreté, et le passeport demeurera dans toute sa force.

ART. XVIII. Si les bâtimens des citoyens de l'une ou l'autre nation sont rencontrés le long des côtes, ou en pleine mer, par quelques vaisseaux de guerre ou corsaires de l'autre ; pour prévenir tout désordre, les dits vaisseaux ou corsaires se tiendront hors de la portée du canon et enverront leur canot à bord du navire marchand qu'ils

which they shall so meet with, and may enter her to the number of two or three men only, to whom the master or commander of such ship shall exhibit his passport concerning the property of the ship, made out according to the form prescribed in the fourth article. And it is expressly agreed that the neutral party shall in no case be required to go on board the examining vessel for the purpose of exhibiting his papers, or for any other examination whatever.

ART. XIX. It is expressly agreed by the contracting parties, that the stipulations above mentioned, relative to the conduct to be observed on the sea by the cruisers of the belligerent party towards the ships of the neutral party, shall be applied only to ships sailing without convoy; and when the said ships shall be convoyed, it being the intention of the parties to observe all the regard due to the protection of the flag displayed by public ships, it shall not be lawful to visit them: but the verbal declaration of the commander of the convoy, that the ships he convoys belong to the nation whose flag he carries, and that they have no contraband goods on board, shall be considered by the respective cruisers as fully sufficient: the two parties reciprocally engaging not to admit under the protection of their convoys, ships which shall carry contraband goods destined to an enemy.

ART. XX. In all cases where vessels shall be captured, or detained under pre-

auront rencontré : ils n'y pourront entrer qu'au nombre de deux ou trois hommes, et demander au patron ou capitaine du dit navire, exhibition du passeport concernant la propriété du dit navire, fait d'après la formule prescrite dans l'article quatre, ainsi que les certificats sus mentionnés relatifs à la cargaison. Il est expressément convenu que le neutre ne pourra être contraint d'aller à bord du vaisseau visitant pour y faire l'exhibition demandée des papiers ou pour toute autre information quelconque.

ART. XIX. Il est expressément convenu par les parties contractantes, que les stipulations ci-dessus, relatives à la conduite qui sera tenue à la mer par les croiseurs de la partie belligérante, envers les bâtimens de la partie neutre, ne s'appliqueront qu'aux bâtimens naviguant sans convoi : et dans le cas où les dits bâtimens seraient convoyés, l'intention des parties étant d'observer tous les égards dus à la protection du pavillon arboré sur les vaisseaux publics, on ne pourra point en faire la visite. Mais la déclaration verbale du commandant de l'escorte, que les navires de son convoi appartiennent à la nation dont ils portent le pavillon, et qu'ils n'ont aucune contrabande à bord, sera regardée par les croiseurs respectifs comme pleinement suffisante ; les deux parties s'engageant réciproquement à ne point admettre sous la protection de leur convoi, des bâtimens qui porteraient des marchandises prohibées à une destination ennemie.

ART. XX. Dans le cas où les bâtimens seront pris ou arrêtés, sous prétexte de por-

tence of carrying to the enemy contraband goods, the captor shall give a receipt for such of the papers of the vessel as he shall retain, which receipt shall be annexed to a descriptive list of the said papers : and it shall be unlawful to break up or open the hatches, chests, trunks, casks, bales, or vessels, found on board, or remove the smallest part of the goods, unless the lading be brought on shore in presence of the competent officers, and an inventory be made by them of the said goods. Nor shall it be lawful to sell, exchange or alienate the same in any manner, unless there shall have been lawful process, and the competent judge or judges shall have pronounced against such goods sentence of confiscation, saving always the ship and the other goods which it contains.

ART. XXI. And that proper care may be taken of the vessel and cargo, and embezzlement prevented, it is agreed that it shall not be lawful to remove the master, commander or supercargo of any captured ship from on board thereof, either during the time the ship may be at sea after her capture, or pending the proceedings against her, or her cargo, or any thing relative thereto. And in all cases where a vessel of the citizens of either party shall be captured, or seized, and held for adjudication, her officers, passengers and crew shall be hospitably treated. They shall not be imprisoned or deprived of any part of their wearing apparel, nor of the possession and use of their money, not exceeding for the captain, super-

ter à l'ennemi quelque article de contrebande, le capteur donnera un reçu des papiers du bâtiment qu'il retiendra, lequel reçu sera joint à une liste énonciative des dits papiers : il ne sera point permis de forcer ni d'ouvrir les écoutilles, coffres, caisses, caissons, balles, ou vases trouvés à bord du dit navire, ni d'enlever la moindre chose des effets, avant que la cargaison ait été débarquée en présence des officiers compétens, qui feront un inventaire des dits effets ; ils ne pourront, en aucune manière être vendus, échangés ou aliénés, à moins qu'après une procédure légale, le juge ou les juges compétens n'aient porté contre les dits effets sentence de confiscation (*en exceptant toujours le navire et les autres objets qu'il contient.*)

ART. XXI. Pour que le bâtiment et la cargaison soient surveillés avec soin, et pour empêcher les dégâts, il est arrêté que le patron, capitaine ou subrecargue du navire *capturé*, ne pourront être éloignés du bord, soit pendant que le navire sera en mer, après avoir été pris, soit pendant les procédures qui pourront avoir lieu contre lui, sa cargaison ou quelque chose y relative.

Dans le cas où le navire appartenant à des citoyens de l'une ou de l'autre partie serait pris, saisi et retenu pour être jugé, ses officiers, passagers et équipage seront traités avec humanité ; ils ne pourront être emprisonnés, ni dépouillés de leurs vêtemens, ni de l'argent à leur usage, qui ne pourra excéder, pour le capitaine, le subrecargue,

cargo and mate five hundred dollars each, and for the sailors and passengers, one hundred dollars each.

ART. XXII. It is further agreed, that in all cases, the established courts for prize causes, in the country to which the prizes may be conducted, shall alone take cognizance of them. And whenever such tribunal of either of the parties shall pronounce judgment against any vessel or goods, or property claimed by the citizens of the other party, the sentence or decree shall mention the reasons or motives on which the same shall have been founded, and an authenticated copy of the sentence or decree, and of all the proceedings in the case, shall if demanded be delivered to the commander or agent of the said vessel, without any delay, he paying the legal fees for the same.

ART. XXIII. And that more abundant care may be taken for the security of the respective citizens of the contracting parties, and to prevent their suffering injuries by the men of war or privateers of either party, all commanders of ships of war and privateers, and all others the said citizens, shall forbear doing any damage to those of the other party, or committing any outrage against them, and if they act to the contrary they shall be punished, and shall also be bound in their persons and estates to make satisfaction and reparation for all damages and the interest thereof, of whatever nature the said damages may be.

For this cause all commanders of privateers, before they receive their commissions,

et le second, cinq cents dollars chacun ; et pour les matelots et passagers, cent dollars chacun.

ART. XXII. Il est de plus convenu que dans tous les cas, les tribunaux établis pour les causes de prises dans les pays où les prises seront conduites, pourront seuls en prendre connaissance ; et quelques jugement que le tribunal de l'une ou de l'autre partie prononce contre quelques navires ou marchandises ou propriétés réclamées par des citoyens de l'autre partie, la sentence ou décret fera mention des raisons ou motifs qui ont déterminé ce jugement, dont copie authentique, ainsi que de toute la procédure y relative, sera, à leur réquisition, délivrée, sans délai, au capitaine ou agent du dit navire, moyennant le paiement des frais.

ART. XXIII. Et afin de pourvoir plus efficacement à la sûreté respective des citoyens des deux parties contractantes, et prévenir les torts qu'ils auraient à craindre des vaisseaux de guerre ou corsaires, de l'une ou l'autre partie, tous commandans des vaisseaux de guerre et de corsaires, et tous autres citoyens de l'une des deux parties, s'abstiendront de tout dommage envers les citoyens de l'autre et de toute insulte envers leurs personnes. S'ils faisaient le contraire, ils seront punis, et tenus à donner, dans leurs personnes et propriétés, satisfaction et réparation pour les dommages, avec intérêt, de quelque espèce que soient les dits dommages.

A cet effet, tous capitaines de corsaires, avant de recevoir leurs commissions, s'ob-

shall hereafter be obliged to give before a competent judge, sufficient security by at least two responsible sureties, who have no interest in the said privateer, each of whom, together with the said commander, shall be jointly and severally bound in the sum of seven thousand dollars or thirty six thousand eight hundred and twenty francs, or if such ships be provided with above one hundred and fifty seamen or soldiers, in the sum of fourteen thousand dollars or seventy three thousand six hundred and forty francs, to satisfy all damages and injuries, which the said privateer, or her officers, or men, or any of them, may do or commit during their cruise, contrary to the tenor of this convention, or to the laws and instructions for regulating their conduct; and further, that in all cases of aggressions the said commission shall be revoked and annulled.

ART. XXIV. When the ships of war of the two contracting parties, or those belonging to their citizens which are armed in war, shall be admitted to enter with their prizes the ports of either of the two parties, the said public or private ships, as well as their prizes, shall not be obliged to pay any duty either to the officers of the place, the judges or any others; nor shall such prizes, when they come to and enter the ports of either party, be arrested or seized, nor shall the officers of the place make examination concerning the lawfulness of such prizes; but they may hoist

ligeront, devant un juge compétent, à donner une garantie au moins par deux cautions responsables, lesquelles n'auront aucun intérêt sur le dit corsaire, et dont chacune, ainsi que le capitaine, s'engagera particulièrement et solidairement pour la somme de sept mille dollars ou trente six mille huit cent vingt francs ; et si les dits vaisseaux portent plus de cent cinquante Matelots ou Soldats, pour la somme de quatorze mille dollars ou soixante treize mille six cent quarante francs, qui serviront à reparer les torts ou dommages que les dits corsaires, leurs officiers, équipages ou quelqu'un d'eux auraient fait ou commis pendant leur croisière, de contraire aux dispositions de la présente convention, ou aux lois et instructions qui devront être la règle de leur conduite : en outre, les dites commissions seront révoquées et annullées dans tous les cas où il y aura en agression.

ART. XXIV. Lorsque les vaisseaux de guerre des deux parties contractantes, ou ceux que leurs citoyens auraient armés en guerre, seront admis à relâcher, avec leurs prises, dans les ports de l'une des deux parties, les dits vaisseaux publics ou particuliers, de même que leurs prises, ne seront obligés à payer aucun droit, soit aux officiers du lieu, soit aux juges ou à tous autres ; les dites prises entrant dans les havres ou ports de l'une des deux parties, ne pourront être arrêtées ou saisies, et les officiers des lieux ne pourront prendre connaissance de la validité des dites prises, lesquelles pourront sortir et être conduites en

sail at any time and depart and carry their prizes to the places expressed in their commissions, which the commanders of such ships of war shall be obliged to shew. It is always understood that the stipulations of this article shall not extend beyond the privileges of the most favored nation.

ART. XXV. It shall not be lawful for any foreign privateers who have commissions from any prince or state in enmity with either nation, to fit their ships in the ports of either nation, to sell their prizes, or in any manner to exchange them; neither shall they be allowed to purchase provisions, except such as shall be necessary for their going to the next port of that prince or state, from which they have received their commissions.

ART. XXVI. It is further agreed, that both the said contracting parties shall not only refuse to receive any pirates into any of their ports, havens or towns, or permit any of their inhabitants to receive, protect, harbor, conceal or assist them in any manner, but will bring to condign punishment all such inhabitants as shall be guilty of such acts or offences.

And all their ships, with the goods or merchandizes, taken by them and brought into the port of either of the said parties, shall be seized as far as they can be discovered, and shall be restored to the owners or their factors or agents duly authorized by them; (proper evidence being first given before competent judges for proving the property) even in case such effects should

toute franchise et liberté aux lieux portés par les commissions dont les capitaines des dits vaisseaux seront obligés de faire apparoir. Il est toujours entendu que les stipulations de cet article ne s'étendront pas au delà des privilèges des nations les plus favorisées.

ART. XXV. Tous corsaires étrangers ayant des commissions d'un Etat ou Prince en guerre avec l'une ou l'autre nation, ne pourront armer leurs vaisseaux dans les ports de l'une ou l'autre nation, non plus qu'y vendre leurs prises, ni les échanger en aucune manière : il ne leur sera permis d'acheter des provisions que la quantité nécessaire pour gagner le port le plus voisin de l'Etat ou Prince duquel ils ont reçu leurs commissions.

ART. XXVI. Il est de plus convenu qu'aucune des deux parties contractantes non seulement ne recevra point de pirates dans ses ports, rades ou villes, et ne permettra pas qu'aucun de ses habitans les reçoive, protège, accueille ou recèle en aucune manière, mais encore livrera à un juste châtement ceux de ces habitans qui seraient coupables de pareils faits ou délits. Les vaisseaux de ces pirates, ainsi que les effets et marchandises par eux pris et amenés dans les ports de l'une ou l'autre nation, seront saisis par tout où ils seront découverts et restitués à leurs propriétaires, agens ou facteurs dûment autorisés par eux, après toutefois qu'ils auront prouvé devant les juges compétens le droit de propriété.

Que si les dits effets avaient passé, par vente, en d'autres mains, et que les acqué-

have passed into other hands by sale, if it be proved that the buyers knew or had good reason to believe, or suspect that they had been piratically taken.

ART. XXVII. Neither party will intermeddle in the fisheries of the other on its coasts, nor disturb the other in the exercise of the rights which it now holds or may acquire on the coast of Newfoundland, in the Gulph of St. Lawrence, or elsewhere, on the American coast, northward of the United States. But the whale and seal fisheries shall be free to both in every quarter of the world.

This convention shall be ratified on both sides in due form, and the ratifications exchanged in the space of six months or sooner if possible.

In faith whereof the respective plenipotentiaries have signed the above articles both in the French and English languages, and they have thereto affixed their seals: declaring nevertheless that the signing in the two languages shall not be brought into precedent, nor in any way operate to the prejudice of either party.

Done at Paris the eighth day of Vendemiaire of the ninth year of the French Republic, the thirtieth day of September, Anno Domini eighteen hundred.

(Signed,) (L. s.) J. BONAPARTE.
 (L. s.) C. P. FLEURIEU.
 (L. s.) ROEDERER.
 (L. s.) O. ELLSWORTH.
 (L. s.) W. R. DAVIE.
 (L. s.) W. V. MURRAY.

reurs fussent ou pussent être instruits ou soupçonnaient que les dits effets avaient été enlevés par des pirates, ils seront également restitués.

ART. XXVII. Aucune des deux nations ne viendra participer aux pêcheries de l'autre sur ses côtes, ni la troubler dans l'exercice des droits qu'elle a maintenant ou pourrait acquérir sur les côtes de Terre neuve, dans le golfe de St. Laurent, ou par tout ailleurs, sur les côtes d'Amérique au nord des États-Unis; mais la pêche de la baleine et du veau marin sera libre pour les deux nations dans toutes les parties du monde. Cette convention sera ratifiée de part et d'autre en bonne et due forme et les ratifications seront échangées dans l'espace de six mois, ou plutôt, s'il est possible.

En foi de quoi les plénipotentiaires respectifs ont signé les articles ci-dessus, tant en langue Française, qu'en langue anglaise, et ils y ont apposé leurs sceau, déclarant néanmoins que la signature en deux langues ne sera point citée comme exemple, et ne préjudiciera à aucune des deux parties.

Fait à Paris, le huitième Jour de Vendémiaire de l'an neuf de la République Française et le trentième Jour de Septembre mil huit cent.

(Signé:)

J. BONAPARTE.
 C. P. FLEURIEU.
 ROEDERER.
 O. ELLSWORTH.
 W. R. DAVIE.
 W. V. MURRAY.

AND WHEREAS, the Senate of the United States did by their resolution, on the 3d day of this present month of February, two thirds of the Senators then present concurring, consent to and advise the ratification of the said convention: Provided the second article be expunged, and that the following article be added or inserted: " It is agreed that the present convention shall be in force for the term of eight years from the time of the exchange of the ratifications."

NOW THEREFORE, I, John Adams, President of the United States of America, having seen and considered the Convention and additional article above recited, do, in pursuance of the aforesaid advice and consent of the Senate of the said United States, by these presents accept, ratify and confirm the said Convention and additional article and every clause and article thereof, as the same are herein before set forth, saving and excepting the second article of the said Convention, which I hereby declare to be expunged and of no force or validity: and I do moreover hereby declare, that the said Convention, saving the second article as aforesaid, and the said additional article form together one instrument, and are a Convention between the United States of America, and the French Republic, made by the President of the United States, by and with the advice and consent of the Senate thereof.

APPROUVE la convention ci-dessus en tous et chacun des articles qui y sont contenus ; déclare qu'elle est acceptée, ratifiée et confirmée et promet qu'elle sera inviolablement observée.

Le gouvernement des États-Unis ayant ajouté dans sa ratification que la convention sera en vigueur l'espace de huit années, et ayant omis l'article second, le gouvernement de la République Française consent à accepter, ratifier et confirmer la convention ci-dessus, avec l'addition portant que la convention sera en vigueur pendant l'espace de huit années, et avec le retranchement de l'article second : bien entendu que par ce retranchement les deux États renoncent aux prétentions respectives qui sont l'objet du dit article.

En foi de quoi sont données les présentes, signées, contre-signées, et scellées du grand sceau de la République.

A PARIS le douze Thermidor an neuf de la République (trente un Juillet, mil huit cent un.)

BONAPARTE.

Le Ministre des Relations Extérieures,
CH. MAU. TALLEYRAND.

Par le Premier Consul :

Le Secrétaire d'Etat
HUGUES B. MARET.

La présente convention a été échangée par les ministres sous-signés, munis de

IN TESTIMONY whereof, I have caused
(L.S) the seal of the United States of America to be hereto affixed.

GIVEN under my hand at the City of Washington, this 18th day of February in the year of our Lord one thousand eight hundred and one, and of the Independence of the said States the twenty-fifth.

(Signed) JOHN ADAMS.

By the President,

JOHN MARSHALL,
Acting as Secretary of State.

And whereas the said Convention was on the other part ratified and confirmed by the First Consul of France in the form of which the following is a translation from the French language, to wit :

Bonaparte, First Consul, in the name of the French People—The consuls of the Republic, having seen and examined the Convention concluded, agreed to, and signed at Paris, the 8th Vendemiaire, 9th year of the French Republic, (30th September 1800) by the citizens Joseph Bonaparte, Fleurieu and Roederer, counsellors of state, in virtue of the full powers which have been given to them to this effect, with Messieurs Ellsworth, Davie, and Murray, ministers plenipotentiary of the United States, equally furnished with full powers, the tenor of which Convention follows :*

* NOTE—This Treaty having been executed both in English and French, the French text, as taken from the ratification by the French government, has, for the sake of convenience, been placed opposite to the English text.

pleins pouvoirs à cet effet, à Paris ce douze
Thermidor an neuf (trente et un Juillet,
mille huit cent un.)

W. V. MURRAY.

JOSEPH BONAPARTE.

C. P. CLARET FLEURIEU.

P. L. ROEDERER.

Approves the above Convention in all and each of the articles which are therein contained; declares that it is accepted, ratified and confirmed, and promises that it shall be inviolably observed.

The government of the United States having added in its ratification, that the Convention should be in force for the space of eight years, and having omitted the second article, the government of the French Republic consents to accept, ratify and confirm the above convention, with the addition importing that the Convention shall be in force for the space of eight years, and with the retrenchment of the second article: Provided that by this retrenchment the two States renounce the respective pretensions, which are the object of the said article.

IN FAITH whereof these presents are given. Signed, countersigned and sealed with the great seal of the Republic, at Paris the twelfth Thermidor, ninth year of the Republic (31st July 1801.)

(Signed)

BONAPARTE.

The Minister of Exterior Relations,

(Signed)

CH. MAU. TALLEYRAND.

By the First Consul,

The Secretary of State,

(Signed)

HUGUES B. MARET.

WHICH ratifications were duly exchanged at Paris on the 31st day of July in the present year, and having been so exchanged.

ed were again submitted to the Senate of the United States, who on the 19th day of the present month resolved that they considered the said Convention as fully ratified, and returned the same to the President for the usual promulgation. NOW THEREFORE to the end that the said Convention may be observed and performed with good faith on the part of the United States, I have caused the premises to be made public, and I do hereby enjoin and require all persons bearing office, civil or military, within the United States, and all others, citizens or inhabitants thereof, or being within the same, faithfully to observe and fulfil the said Convention and every clause and article thereof.

IN TESTIMONY whereof I have caused
the seal of the United States to be
 (L.S.) *affixed to these presents, and signed*
the same with my hand.

Done at the City of Washington, the
twenty-first day of December in the
year of our Lord, one thousand eight
hundred and one, and of the sovereignty
and independence of the United
States the twenty-sixth.

TH: JEFFERSON.

By the President,

JAMES MADISON,
Secretary of State.

CONVENTION
BETWEEN
THE UNITED STATES
AND
GREAT BRITAIN.

DIFFICULTIES having arisen in the execution of the sixth article of the treaty of amity, commerce and navigation, concluded at London on the fourth day of November, one thousand seven hundred and ninety-four, between his Britannic majesty and the United States of America, and in consequence thereof the proceedings of the commissioners under the seventh article of the same treaty, having been suspended; the parties to the said treaty being equally desirous, as far as may be, to obviate such difficulties, have respectively named Plenipotentiaries to treat and agree respecting the same; that is to say, his Britannic majesty has named for his plenipotentiary, the right honorable Robert Banks Jenkinson, commonly called Lord Hawkesbury, one of his majes-

ty's most honorable Privy Council, and his principal Secretary of State for foreign affairs: and the President of the United States, by and with the advice and consent of the Senate thereof, has named, for their plenipotentiary Rufus King Esquire, minister plenipotentiary of the said United States to his Britannic majesty, who have agreed to and concluded the following Articles :

ARTICLE I. In satisfaction and discharge of the money which the United States might have been liable to pay in pursuance of the provisions of the said sixth article, which is hereby declared to be cancelled and annulled, except so far as the same may relate to the execution of the said seventh article, the United States of America hereby engage to pay, and his Britannic majesty consents to accept for the use of the persons described in the said sixth article, the sum of six hundred thousand pounds sterling, payable at the times and place, and in the manner following, that is to say: the said sum of six hundred thousand pounds sterling, shall be paid at the city of Washington, in three annual instalments of two hundred thousand pounds sterling each, and to such person or persons, as shall be authorised by his Britannic majesty to receive the same; the first of the said instalments to be paid at the expiration of one year, the second instalment at the expiration of two years, and the third and last instalment at the expiration of three years, next following the exchange of the ratifications of this convention. And to prevent any disagreement concerning the rate of exchanges, the said pay

ments shall be made in the money of the said United States; reckoning four dollars and forty-four cents to be equal to one pound sterling.

ART. II. Whereas it is agreed by the fourth Article of the definitive treaty of Peace, concluded at Paris on the third day of September one thousand seven hundred and eighty-three between his Britannic majesty and the United States, that creditors on either side should meet with no lawful impediment to the recovery of the full value in sterling money of all bona fide debts theretofore contracted; it is hereby declared, that the said fourth article, so far as respects its future operation, is hereby recognized, confirmed and declared to be binding and obligatory on his Britannic Majesty and the said United States, and the same shall be accordingly observed with punctuality and good faith, and so as that the said creditors shall hereafter meet with no lawful impediment to the recovery of the full value in Sterling money of their bona fide debts.

ART. III. It is furthermore agreed and concluded that the commissioners appointed in pursuance of the seventh article of the said treaty of amity commerce and navigation, and whose proceedings have been suspended as aforesaid, shall, immediately after the signature of this convention, reassemble and proceed in the execution of their duties according to the provisions of the said seventh article; except only that instead of the sums awarded by the said commissioners being made payable at the time or times by them appointed, all sums of money by them award-

ed to be paid to American or British claimants, according to the provisions of the said seventh article, shall be made payable in three equal instalments, the first whereof, to be paid at the expiration of one year, the second at the expiration of two years, and the third and last at the expiration of three years next, after the exchange of the ratifications of this convention.

ART. IV. This convention, when the same shall have been ratified by his majesty, and by the President of the United States, by and with the advice and consent of the senate thereof, and the respective ratifications duly exchanged, shall be binding and obligatory upon his majesty and the said United States.

In faith whereof, We the undersigned plenipotentiaries of his Britannic majesty and of the United States of America, by virtue of our respective full powers, have signed the present convention, and have caused the seals of our arms to be affixed thereto.

Done at London, the eighth day of
January one thousand eight hundred
and two.

HAWKBURY, (L. S.)
RUFUS KING, (L. S.)

Note. The ratifications were exchanged on the fifteenth day of July one thousand eight hundred and two.

BY THE PRESIDENT

OF THE

UNITED STATES OF AMERICA,

A PROCLAMATION.

WHEREAS a Treaty between the United States of America and the Chickasaw nation of Indians, was concluded and signed by the commissioners of both nations fully and respectively authorised for that purpose, on the twenty-fourth day of Oct. 1801, and was duly ratified and confirmed by the President of the United States, with the advice and consent of the Senate, on the first day of May ensuing, which Treaty is in the words following, to wit:—

A TREATY,

Of reciprocal advantages and mutual convenience between the United States of America and the Chickasaws.

THE President of the United States of America, by James Wilkinson brigadier general in the service of the United States, Benjamin Hawkins of North Caro-

lina, and Andrew Pickens of South Carolina, commissioners of the United States, who are vested with full powers, and the Mingco, principal men and warriors of the Chickasaw nation, representing the said nation, have agreed to the following articles.

ART. I. The Mingco, principal men and warriors of the Chickasaw nation of Indians, give leave and permission to the President of the United States of America, to lay out, open and make a convenient waggon road through their land between the settlements of Mero District in the state of Tennessee, and those of Natchez in the Mississippi Territory, in such way and manner as he may deem proper; and the same shall be a high way for the citizens of the United States, and the Chickasaws. The Chickasaws shall appoint two discreet men to serve as assistants, guides or pilots, during the time of laying out and opening the road, under the direction of the officer charged with that duty, who shall have a reasonable compensation for their service: Provided always, that the necessary ferries over the water courses crossed by the said road shall be held and deemed to be the property of the Chickasaw nation.

ART. II. The commissioners of the United States give to the Mingco of the Chickasaws, and the deputation of that nation, goods to the value of seven hundred dollars, to compensate him and them and their attendants for the expense and inconvenience they may have sustained by their respectful and friendly attention to the President of the United States of America, and to the request made to them in his name to permit the opening of the

road. And as the persons, towns, villages, lands, hunting grounds, and other rights and property of the Chickasaws, as set forth in the treaties or stipulations heretofore entered into between the contracting parties, more especially in and by a certificate of the President of the United States of America, under their seal of the first of July 1794 are in the peace and under the protection of the United States, the commissioners of the United States do hereby further agree, that the President of the United States of America, shall take such measures from time to time, as he may deem proper, to assist the Chickasaws to preserve entire all their rights against the encroachments of unjust neighbours, of which he shall be the judge, and also to preserve and perpetuate friendship and brotherhood between the white people and the Chickasaws.

ART. III. The commissioners of the United States may, if they deem it advisable, proceed immediately to carry the first article into operation; and the treaty shall take effect and be obligatory on the contracting parties, as soon as the same shall have been ratified by the President of the United States of America, by and with the advice and consent of the Senate of the United States.

IN TESTIMONY whereof we, the plenipotentiaries, have hereunto subscribed our names and affixed our seals at Chickasaw Bluffs, the twenty-fourth of October, 1801.

JAMES WILKINSON, (L. S.)

BENJAMIN HAWKINS, (L. S.)

ANDREW PICKENS, (L. S.)

Chinmimbe ✕ Mingco, (L. S.)
 Immuttauhaw, ✕ (L. S.)
 Chumaube, ✕ (L. S.)
 George ✕ Colbert, (L. S.)
 William ✕ M'Gilvray, (L. S.)
 Opiehoamuh, ✕ (L. S.)
 Olohlohoioe, ✕ (L. S.)
 Minkemattauhau, ✕ (L. S.)
 Tuskkooioe, ✕ (L. S.)
 William Glover, (L. S.)
 Thomas Brown, (L. S.)
 William Colbert, W. C. (L. S.)
 Mooklushoioe, ✕ (L. S.)
 Opouolauhtau, (L. S.)
 Teschoolauptau, (L. S.)
 Teschoolauptau, (L. S.)
 James Underwood, (L. S.)

WITNESSES :—Samuel Mitchel,
 Agent to the Chickasaws.

Malcom ✕ Megee, Interpreter to
 the Chickasaws.

William R. Bootes, Capt. of 3d Reg.
 and aid-de-camp.

J. B. Walbach, Lieut. and aid-de-
 camp.

J. Wilson, Lieut. 3d Regiment.

NOW THEREFORE, To the end that
 the said treaty may be observed with good
 faith on the part of the United States, I
 have caused the premises to be made pub-
 lic, and I do hereby enjoin and require all
 persons bearing office, civil or military,

within the United States, and all others, citizens or inhabitants thereof, or being within the same, faithfully to observe and fulfil the said treaty and every clause and article thereof.

IN TESTIMONY whereof, I have caused
the seal of the United States to
(L. S.) *be affixed to these presents, and*
signed the same with my hand.

Done at the City of Washington, the
fourth day of May in the year of
our Lord one thousand eight hun-
dred and two; and of the sovereign-
ty and independence of the United
States of America, the twenty-
sixth.

TH: JEFFERSON.

By the President,

JAMES MADISON,

Secretary of State.

BY THE PRESIDENT
OF THE
UNITED STATES OF AMERICA,
A PROCLAMATION.

WHEREAS a treaty between the United States of America and the Chactaw nation of Indians was concluded and signed on the seventeenth day of December, in the year one thousand eight hundred and one, by the commissioners of both nations, fully and respectively authorised for that purpose, and was duly ratified and confirmed by the President of the United States on the thirtieth day of April, in the year one thousand eight hundred and two, with the advice and consent of the senate ; which treaty is in the words following, to wit :

A treaty of Friendship, Limits and Accommodation between the United States of America and the Chactaw nation of Indians.

THOMAS JEFFERSON, President
of the United States of America, by James
Wilkinson, of the State of Maryland

Brigadier-General in the army of the United States, Benjamin Hawkins, of North Carolina, and Andrew Pickens, of South Carolina, commissioners plenipotentiary of the United States on the one part, and the Mingos, principal men and warriors of the Chactaw nation, representing the said nation in council assembled, on the other part, have entered into the following articles and conditions, viz.

ART. I. WHEREAS the United States in Congress assembled, did by their commissioners Plenipotentiary, Benjamin Hawkins, Andrew Pickens and Joseph Martin, at a treaty held with the chiefs and head men of the Chactaw nation at Hopewell, on the Keowe, the third day of January, in the year of our Lord one thousand seven hundred and eighty-six, give peace to the said nation, and receive it into the favor and protection of the United States of America; it is agreed by the parties to these presents respectively, that the Chactaw nation, or such part of it as may reside within the limits of the United States, shall be and continue under the care and protection of the said States; and that the mutual confidence and friendship which are hereby acknowledged to subsist between the contracting parties shall be maintained and perpetuated.

ART. II. The Mingos principal men and warriors of the Chactaw nation of Indians, do hereby give their free consent, that a convenient and durable waggon way may be explored, marked, opened and made under the orders and instructions of the President of the United States, through

their lands; to commence at the northern extremity of the settlements of the Mississippi Territory, and to be extended from thence, by such route as may be selected and surveyed under the authority of the President of the United States, until it shall strike the lands claimed by the Chickasaw nation; and the same shall be and continue for ever, a high way for the citizens of the United States and the Chactaws; and the said Chactaws shall nominate two discreet men from their nation who may be employed as assistants, guides or pilots during the time of laying out and opening the said high-way, or so long as may be deemed expedient, under the direction of the officer charged with this duty, who shall receive a reasonable compensation for their services.

ART. III. The two contracting parties covenant and agree that the old line of demarcation heretofore established by and between the officers of his Britannic Majesty and the Chactaw nation, which runs in a parallel direction with the Mississippi river and eastward thereof, shall be retraced and plainly marked, in such way and manner as the President may direct, in the presence of two persons to be appointed by the said nation; and that the said line shall be the boundary between the settlements of the Mississippi Territory and the Chactaw nation.—And the said nation does by these presents relinquish to the United States and quit claim forever, all their right, title and pretension to the land lying between the said line and the Mississippi river, bounded south by the thirty-first degree of north latitude, and north

by the Yazoo river, where the said line shall strike the same; and on the part of the commissioners it is agreed, that all persons who may be settled beyond this line shall be removed within it, on the side towards the Mississippi, together with their slaves, household furniture, tools, materials and stock, and that the cabbins or houses erected by such persons shall be demolished.

ART. IV. The President of the United States may, at his discretion, proceed to execute the second article of this treaty; and the third article shall be carried into effect as soon as may be convenient to the government of the United States, and without unnecessary delay on the one part or the other, of which the President shall be the judge; the Chactaws to be seasonably advised, by order of the President of the United States, of the time when, and the place where, the re-survey and remarking of the old line referred to in the preceding article will be commenced.

ART. V. The commissioners of the United States for and in consideration of the foregoing concessions on the part of the Chactaw nation, and in full satisfaction for the same, do give and deliver to the Mingos, chiefs and warriors of the said nation, at the signing of these presents, the value of two thousand dollars in goods and merchandize, nett cost of Philadelphia, the receipt whereof is hereby acknowledged, and they further engage to give three sets of blacksmith's tools to the said nation.

ART. VI. This treaty shall take effect and be obligatory on the contracting par-

ties, so soon as the same shall be ratified by the President of the United States of America, by and with the advice and consent of the Senate thereof.

IN TESTIMONY WHEREOF, the Commissioners Plenipotentiary of the United States, and the Mingo, principal men and warriors of the Chactaw nation, have hereto subscribed their names and affixed their seals at Fort Adams, on the Mississippi, this seventeenth day of December, in the year of our Lord one thousand eight hundred and one, and of the independence of the United States the twenty-sixth.

JAMES WILKINSON, (L. s.)
 BENJAMIN HAWKINS, (L. s.)
 ANDREW PICKENS, (L. s.)

Tuskona ✕ Hopoia, (L. s.)
 Toota ✕ Homo, (L. s.)
 Mingo Homo ✕ Massatubby, (L. s.)
 Oak ✕ Shummé, (L. s.)
 Mingo ✕ Poos,coos, (L. s.)
 Buckshun ✕ Nubby, (L. s.)
 Shappa ✕ Homo, (L. s.)
 Hi,u,pa ✕ Homo, (L. s.)
 Il,la talla ✕ Homo, (L. s.)
 Hoché ✕ Homo, (L. s.)
 Tuspéna ✕ Chaabé, (L. s.)
 Muclusha ✕ Hopoia, (L. s.)
 Capputanne ✕ Thlucco, (L. s.)
 Robert ✕ M'Clure, (L. s.)
 Poosha ✕ Homo, (L. s.)
 Ba ka ✕ Lubbé (L. s.)

Witnesses present:—Alexander Maccomb, jun. secretary to the commission;

John M'Kee, deputy superintendant and agent to the Chactaws; Henry Gaither, lieutenant colonel commandant; John H. Brull, major second regiment infantry; Bn. Shaumburgh, captain second regiment infantry; Frøn. Jones, assistant quarter master general; Benjamin Wilkinson, lieutenant and paymaster third United States regiment; J. B. Walback, aid de camp to the commanding general; J. Wilson, lieutenant third regiment infantry; Samuel Jeton, lieutenant second regiment of artillery and engineers; John F. Carmichael, surgeon third regiment United States army.

NOW, THEREFORE, to the end that the said treaty may be observed and performed with good faith on the part of the United States, I have caused the premises to be made public, and I do hereby enjoin and require all persons bearing office, civil or military, within the United States, and all others, citizens or inhabitants thereof, or being within the same, faithfully to observe and fulfil the said treaty, and every clause and article thereof.

IN TESTIMONY whereof I have caused the seal of the United States (L. S.) to be affixed to these presents, and signed the same with my hand.

Done at the city of Washington the fourth day of May, in the year of our Lord one thousand eight hundred and two, and of the sovereignty and independence of the United States the twenty-sixth.

TH: JEFFERSON.

By the President,

JAMES MADISON,

Secretary of State.

THOMAS JEFFERSON,
PRESIDENT OF THE
UNITED STATES OF AMERICA.

To all and singular, to whom these presents shall come, GREETING.

WHEREAS a certain treaty between the United States and the Creek Nation of Indians was concluded and signed near Fort Wilkinson on the Oconee river, on the sixteenth day of June last past, which treaty is as follows :

A Treaty of Limits between the United States of America and the Creek Nation of Indians.

Thomas Jefferson, President of the United States of America, by James Wilkinson, of the state of Maryland, Brigadier General in the army of the United States, Benjamin Hawkins, of North Carolina, and Andrew Pickens, of South Carolina, Commissioners Plenipotentiary of the United States on the one part, and the Kings, Chiefs, Head Men and Warriors of the Creek Nation, in council assembled, on the other part, have entered into the following articles and conditions, viz.

ARTICLE I. The Kings, Chiefs, Head men and Warriors of the Creek nation, in behalf of the said nation, do by these presents cede to the United States of America all that tract and tracts of land, situate, lying and being within and between the following bounds, and the lines and limits of the extinguished claims of the said nation heretofore ascertained and established by treaty. That is to say—beginning at the upper extremity of the high shoals of the Appalachee river, the same being a branch of the Oconee river, and on the southern bank of the same—running thence a direct course to a noted ford of the south branch of Little river, called by the Indians Chat-to-chuc-co hat-chee,—thence a direct line to the main branch of Commissioners' creek, where the same is intersected by the path leading from the rock landing to the Ocmulgee Old Towns, thence a direct line to Palmetto Creek, where the same is intersected by the Uchee path leading from the Oconee to the Ocmulgee river—thence down the middle waters of the said Creek to Oconee river, and with the western bank of the same to its junction with the Ocmulgee River, thence across the Ocmulgee river to the south bank of the Altamaha river, and down the same at low water mark to the lower bank of Goose Creek, and from thence by a direct line to the Mounts, on the Margin of the Okefinocau swamp, raised and established by the commissioners of the United States and Spain at the head of the St. Mary's river; thence down the middle wa-

ters of the said river, to the point where the old line of demarcation strikes the same, thence with the said old line to the Altamaha river and up the same to Goose Creek : and the said Kings, Chiefs, Headmen and Warriors do relinquish and quit claim to the United States all their right, title, interest and pretensions, in and to the tract and tracts of land within and between the bounds and limits aforesaid, forever.

ART. II. The commissioners of the United States, for and in consideration of the foregoing concession on the part of the Creek nation, and in full satisfaction for the same, do hereby covenant and agree with the said nation, in behalf of the United States, that the said States shall pay to the said nation, annually, and every year, the sum of three thousand dollars, and one thousand dollars for the term of ten years, to the chiefs who administer the government, agreeably to a certificate under the hands and seals of the commissioners of the United States of this date, and also twenty-five thousand dollars in the manner and form following, viz. Ten thousand dollars in goods and merchandise, the receipt of which is hereby acknowledged ; ten thousand dollars to satisfy certain debts due from Indians and white persons of the Creek country to the factory of the United States ; the said debts, after the payment aforesaid, to become the right and property of the Creek nation, and to be recovered for their use in such way and manner as the President of the United States may think proper to direct ; five thousand dollars to satisfy claims

for property taken by individuals of the said nation, from the citizens of the United States, subsequent to the treaty of Colerain, which has been or may be claimed and established agreeably to the provisions of the act for regulating trade and intercourse with the Indian tribes, and to preserve peace on the frontiers. And it is further agreed that the United States shall furnish to the said nation two sets of blacksmiths' tools, and men to work them, for the term of three years.

ART. III. It is agreed by the contracting parties that the garrison or garrisons which may be found necessary for the protection of the frontiers, shall be established upon the land of the Indians at such place or places as the President of the United States may think proper to direct, in the manner and on the terms established by the treaty of Colerain.

ART. IV. The contracting parties to these presents do agree that this treaty shall become obligatory and of full effect, so soon as the same shall be ratified by the President of the United States of America, by and with the advice and consent of the Senate thereof.

IN TESTIMONY WHEREOF, the Commissioners Plenipotentiary of the United States, and the Kings, Chiefs, Head Men and Warriors of the Creek nation, have hereunto subscribed their names and affixed their seals at the camp of the Commissioners of the United States near Fort Wilkinson, on the Oconee river, this sixteenth day of June, in the year of our Lord

one thousand eight hundred and two,
and of the independence of the United
States the twenty-sixth.

JAMES WILKINSON, (L. S.)
BENJAMIM HAWKINS, (L. S.)
ANDREW PICKENS, (L. S.)

Efau ✕ Haujo,
1 Tustunnuggee ✕ Thlucco,
2 Hopoie ✕ Micco,
3 Hopoie ✕ O-loh-tau,
Tallassee ✕ Micco,
Tusseikia ✕ Micco,
Micco ✕ Thlucco,
Tuskenehau ✕ Chapco,
Chou-wacke ✕ le Micco,
Toosce ✕ hache Micco,
Hopoie ✕ Yauhelo,
Hoithlewau ✕ le Micco,
Efau Haujo ✕ of Cooloome,
Cus-se-tuh ✕ Tus-tun-nug-gee,
Tal-chis-chau ✕ Mic-co,
Yauf-kee ✕ Emautla Haujo,
Coosaudee ✕ Tustunnuggee,
Nenehom ✕ oh tau Tustunnuggee Micco,
Is fau-nau ✕ Tus-tun-nug-gee,
Eufaulau ✕ Tustunnuggee,
Tustunnuc ✕ Hoithle poyuh,
Is hopei ✕ Tustunnuggee,
Cowetuh ✕ Tustunnuggee,
Hopoithle ✕ Haujo,
Woc-see ✕ Haujo,
Uctij utchee ✕ Tustunnuggee
Okelesau ✕ Hut-kee,
Pahose ✕ Micco,
Mickc ✕ Emautlau,
Hoithle po yan ✕ Haujo,

Cussetuh ✕ Haujo,
Ochewee ✕ Tustunnuggee,
Tooschathee ✕ Haujo,
Isfau-ne ✕ Haujo,
Ho-poith-le ✕ Ho-poi-e
Olohtuh ✕ Emautlau,

TIMOTHY BARNARD,
ALEXANDER CORNELLS, } *Interpreters.*
JOSEPH ISLANDS,

ALEXANDER MACOMB, jun.
Secretary to the Commissioners.

WILLIAM R. BOOTES,
Captain 2d Regiment Infantry.

T. BLACKBURN,
Lieut. Com. Comp. D.

JOHN B. BARNES,
Lieut. United States A.

WM. HILL, *Ajt. C. D.*

NOW BE IT KNOWN, That I, THOMAS JEFFERSON, President of the United States of America, having seen and considered the said treaty, do, by and with the advice and consent of the Senate thereof, accept, ratify, and confirm the same, and every clause and article thereof.

IN TESTIMONY WHEREOF, I
have caused the seal of the said
(L. S.) United States to be hereunto affixed,
and signed the same with my
hand.

Done at the city of Washington the eleventh day of January, in the year of our Lord one thousand eight hundred and three, and of the independence of the United States the twenty-seventh.

TH. JEFFERSON.

By the President,

JAMES MADISON,
Secretary of State.

THOMAS JEFFERSON,

PRESIDENT OF THE

UNITED STATES OF AMERICA.

To all to whom these presents shall come,

GREETING.

WHEREAS a treaty was held on the thirtieth day of June last, under the authority of the United States, with the Seneca nation of Indians, at Buffaloe creek, in the county of Ontario and state of New York, and at the said treaty, in the presence of and with the approbation of John Tayler, esquire, a commissioner of the United States, appointed to hold the same, an indenture or agreement was entered into between the said nation of Indians, and Wilhem Willink and others hereinafter mentioned, which indenture or agreement is in the words following :

THIS INDENTURE, made the thirtieth day of June, in the year of our Lord one thousand eight hundred and two, between the Sachems, Chiefs, and Warriors of the Seneca Nation of Indians, of the first part, and Wilhem Willink, Pieter Van Eeghen, Hendrik Vollenhoven, W. Willink the younger, I. Willink the younger (son of Jan) Jan Gabriel Van Staphorst, Roelof Van Staphorst the younger, Cornelis Vollenhoven

and Hendrik Seye, all of the city of Amsterdam and Republic of Batavia, by Joseph Ellicott, esquire, their agent and attorney, of the second part.

WHEREAS at a treaty held under the authority of the United States with the said Seneca nation of Indians, at Buffalo creek, in the county of Ontario and state of New York, on the day of the date of these presents, by the honorable John Tayer, esquire, a commissioner appointed by the President of the United States to hold the same, in pursuance of the Constitution, and of the act of the Congress of the United States in such case made and provided, a Convention was entered into in the presence and with the approbation of the said commissioner, between the said Seneca nation of Indians and the said Wilhem Willink, Pieter Van Eeghen, Hendrik Vollenhoven, W. Willink the younger, I. Willink the younger (son of Jan) Jan Gabriel Van Staphorst, Roelof Van Staphorst the younger, Cornelis Vollenhoven and Hendrik Seye, by the said Joseph Ellicott, their agent and attorney, lawfully constituted and appointed for that purpose.

NOW THIS INDENTURE WITNESSETH, That the said parties of the first part, for and in consideration of the lands hereinafter described, do hereby exchange, cede, and forever quit claim to the said parties of the second part, their heirs and assigns, ALL those lands situate, lying and being in the county of Ontario and state of New York, being part of the lands described and reserved by the said

parties of the first part, in a treaty or convention held by the honorable Jeremiah Wadsworth, Esquire, under the authority of the United States on the Genesee river the 15th day of September, one thousand seven hundred and ninety-seven, in words following, viz.

“ **BEGINNING** at the mouth of the eighteen mile or Kogh quaw-gu creek, thence a line or lines to be drawn parallel to lake Erie, at the distance of one mile from the lake, to the mouth of Cataraugos creek, thence a line or lines extending twelve miles up the north side of said creek at the distance of one mile therefrom, thence a direct line to the said creek, thence down the said creek to lake Erie, thence along the lake to the first mentioned creek, and thence to the place of beginning. Also one other piece at Cataraugos, beginning at the shore of lake Erie on the south side of Cataraugos creek, at the distance of one mile from the mouth thereof, thence running one mile from the lake, thence on a line parallel thereto to a point within one mile from the Con-non-dau-we-gea creek, thence up the said creek one mile on a line parallel thereto, thence on a direct line to the said creek, thence down the same to lake Erie, thence along the lake to the place of beginning ;” reference thereunto had will fully appear. **TOGETHER** with all and singular the rights, privileges, hereditaments and appurtenances thereunto belonging, or in any wise appertaining. **AND** all the estate, right, title and interest whatsoever, of them, the said parties of the first part, and their nation of, in and to the said tracts of land, above described,

TO HAVE AND TO HOLD all and singular the said granted premises, with the appurtenances, to the said parties of the second part, their heirs and assigns, to their only proper use, benefit and behoof forever.

AND in consideration of the said lands described and ceded as aforesaid, the said parties of the second part, by Joseph Elliott, their agent and attorney as aforesaid, do hereby exchange, cede, release, and quit claim to the said parties of the first part and their nation (the said parties of the second part reserving to themselves the right of pre-emption) all that certain tract or parcel of land situate as aforesaid. **BEGINNING** at a post marked No. O. standing on the bank of lake Erie, at the mouth of Cataraugos creek, and on the north bank thereof; thence along the shore of said lake N. 11° E. 21 chains; N. thirteen degrees east 45 chains; N. 19° E. 14 chains, 65 links to a post; thence east 119 chains to a post; thence south 14 chains 27 links to a post; thence east 640 chains to a post standing in the meridian between the 8th and 9th ranges; thence along said meridian south 617 chains 75 links to a post standing on the south bank of Cataraugos creek; thence west 160 chains to a post; thence north 290 chains 25 links to a post; thence west 482 chains 51 links to a post; thence north 219 chains 50 links to a post standing on the north bank of Cataraugos creek; thence down the same and along the several meanders thereof to the place of beginning. **TO HOLD** to the said parties of the first part in the same manner and by the same tenure as the lands reserved by the

said parties of the first part in and by the said treaty or convention entered into on Genesee river the 15th day of September, one thousand seven hundred and ninety-seven, as aforesaid, were intended to be held.

IN TESTIMONY whereof the parties to these presents have hereunto, and to two other indentures of the same tenor and date, one to remain with the United States, one to remain with the said parties of the first part, and one other to remain with the said parties of the second part, interchangeably set their hands and seals the day and year first above written.

Con-nea-ti-u, his x mark,
Koe-en-twah-ka, or Corn Planter, his x
mark,
Won-don-goohka, his x mark,
Te-kon-nou-du, his x mark,
Te-ki-ain-dau, his x mark,
Sa-goo-yes, his x mark,
Tow-yo-cau-na, or Blue Sky, his x mark
Koying-quau-tah, or Young King, his x
mark,
Ka-oun-doo-wand, or Pollard, his x mark,
Con-na-wan-de-au, his x mark,
Soo-no-you, his x mark,
Au-wen-nau-sa, his x mark,
Soo-goo-ya-wau-tau, or Red Jacket, his x
mark,
Cosh-kou-tough, his x mark,
Te-yo-kai-hos-sa, his x mark,
Ona-ya-wos, or Farmer's Brother his x
mark,
So-nau-goi-es, his x mark,

Gish-ka-ka, or Little Billy, his x mark,
Sus-sa oo-wau, his x mark.

Wilhem Willink, Pieter Van Eeghen,
Hendrik Vollenhoven, W. Willink, the
younger, I. Willink the younger (son of
Jan) Jan Gabriel Van Staphorst, Roelof
Vanstaphorst the younger, Cornelis Vol-
lenhoven, and Hendrik Seye, by their
Attorney.

JOSEPH ELLICOTT. (L. s.)

Sealed and delivered in the presence of

JOHN THOMPSON,
ISRAEL CHAPIN,
JAMES W. STEVENS,
HORATIO JONES, } *Interpreters.*
JASPER PARRISH, }

Done at a full and general treaty of the
Seneca nation of Indians, held at Buffaloe
Creek, in the county of Ontario and state
of New York, on the thirtieth day of June,
in the year of our Lord one thousand eight
hundred and two, under the authority of
the United States. In testimony whereof
I have hereunto set my hand and seal the
day and year aforesaid.

JOHN TAYLER. (L. s.)

NOW BE IT KNOWN, That I, THO-
MAS JEFFERSON, President of the United
States of America, having seen and con-
sidered the said indenture or agreement,
do, by and with the advice and consent of
the Senate thereof, accept, ratify, and con-
firm the same, and every clause and arti-
cle thereof.

IN TESTIMONY WHEREOF, I
have caused the seal of the United
States to be hereunto affixed, and
signed the same with my hand.
Done at the City of Washington,
(L. s.) the twelfth day of January, in the
year of our Lord one thousand
eight hundred and three, and in the
twenty-seventh year of the Inde-
pendence of the said United States.

TH: JEFFERSON.

By the President.

JAMES MADISON,

Secretary of State,

THOMAS JEFFERSON,
PRESIDENT OF THE
UNITED STATES OF AMERICA.

*To all and singular to whom these presents
shall come, GREETING.*

WHEREAS a certain convention between the United States and the Choctaw nation of Indians, was concluded and signed at Fort Confederation on the Tombigby river, on the seventeenth day of October last passed, which convention is as follows.

A provisional convention entered into and made by brigadier general James Wilkinson, of the state of Maryland, commissioner for holding conferences with the Indians south of the Ohio river, in behalf of the United States on the one part, and the whole Choctaw nation, by their chiefs, head men, and principal warriors, on the other part.

Preamble. For the mutual accommodation of the parties, and to perpetuate that concord and friendship, which so happily subsists between them, they do hereby freely, voluntarily, and without constraint, covenant and agree,

ART. I. That the President of the United States may, at his discretion, by a commissioner or commissioners, to be appointed by him, by and with the advice

and consent of the senate of the United States, retrace, connect, and plainly remark the old line of limits, established by and between his Britannic majesty and the said Choctaw nation, which begins on the left bank of the Chickasawhay river and runs thence in an easterly direction to the right bank of the Tombigby river, terminating on the same, at a bluff, well known by the name of Hach-a Tig-geby, but it is to be clearly understood, that two commissioners, to be appointed by the said nation, from their own body, are to attend the commissioner or commissioners of the United States, who may be appointed to perform this service, for which purpose the said Choctaw nation shall be seasonably advised by the President of the United States, of the particular period at which the operation may be commenced, and the said Choctaw commissioners shall be subsisted by the United States, so long as they may be engaged on this business, and paid for their services, during the said term, at the rate of one dollar per day.

ART. II. The said line, when thus remarked and re-established, shall form the boundary between the United States and the said Choctaw nation, in that quarter, and the said Choctaw nation, for, and in consideration of one dollar, to them in hand paid by the said United States, the receipt whereof is hereby acknowledged, do hereby release to the said United States, and quit claim for ever, to all that tract of land which is included by the before-named line on the north, by the Chickasawhay river, on the west by the Tombigby and the Mobile rivers on the east, and by

the boundary of the United States on the south.

ART. III. The chiefs, head men and warriors, of the said Choctaw nation, do hereby constitute, authorise and appoint, the chiefs and head men of the upper towns of the said nation, to make such alteration in the old boundary line near the mouth of the Yazou river, as may be found convenient, and may be done without injury to the said nation.

ART. IV. This convention shall take effect, and become obligatory on the contracting parties as soon as the President of the United States, by and with the advice and consent of the senate, shall have ratified the same.

In testimony whereof, the parties have hereunto set their hands and affixed their seals at Fort Confederation, on the Tombigby in the Choctaw country, this 17th day of October, in the year of our Lord one thousand eight hundred and two, and of the independence of the United States the twenty-seventh.

JAMES WILKINSON, (SEAL)

In behalf of the lower towns and Chicksawbay.

Tusk-o-na Hoo-poi-o, his ✕ mark,
Mingo Poos-koos, his ✕ mark,
Mingo Poos-koos, 2d. his ✕ mark,
Poosh a Mat-ta-haw, his ✕ mark,

In behalf of the upper towns,
Oak Chummy, his ✕ mark,
Tuskee, Mai-a-by, his ✕ mark,

In behalf of the six towns and lower town,

Lat-al-a hom-ah, his X mark,
Mook-la-hoo soo poi-ch, his X mark,
Mingo, Hom, As-tubby, his X mark,
Tusk-a hom-ah, his X mark.

Witnesses present.

SILAS DINSMORE, Agent to the Choctaws.

JOHN PITCHLYNN,
TURNER BRASHEARS, } *Interpt's.*
PETER H. NAISALIS, }
JOHN LONG.

NOW BE IT KNOWN, That I THOMAS JEFFERSON, President of the United States of America having seen and considered the said convention, do, by and with the advice and consent of the Senate thereof, accept, ratify and confirm the same, and every clause and article thereof.

IN TESTIMONY WHEREOF, I
(L. s.) have caused the seal of the United States to be hereunto affixed, and signed the same with my hand. Done at the city of Washington the twentieth day of January, in the year of our Lord one thousand eight hundred and three, and of the Independence of the United States of America the twenty seventh.

TH: JEFFERSON.

By the President.

JAMES MADISON,
Secretary of State.

THOMAS JEFFERSON,
PRESIDENT OF THE
UNITED STATES OF AMERICA.

To all to whom these presents shall come,
GREETING.

WHEREAS a treaty was held on the 30th day of June last under the authority of the United States with the Seneca Nation of Indians at Buffalo Creek in the county of Ontario and state of New York, and at the said treaty in the presence of and with the approbation of John Tayler Esq. a Commissioner of the United States, appointed to hold the same, an agreement was entered into between Oliver Phelps, Esq. and others hereinafter mentioned, which agreement is in the words following.

AT A TREATY held under the authority of the United States, at Buffalo Creek in the county of Ontario, and state of New-York, between the Sachems, Chiefs and Warriors of the Seneca Nation of Indians, on behalf of said nation, and Oliver Phelps, Esq. of the county of Ontario, Isaac Bronson, Esq. of the city of New York, and Horatio Jones, of the said county of Ontario. in the presence of John Tayler, Esq. Commissioner appointed by the President of the United States for holding said treaty.

KNOW ALL MEN by these presents, that the said Sachems, Chiefs and warriors, for and in consideration of the sum of twelve hundred dollars, lawful money of the United States, unto them in hand paid by the said Oliver Phelps, Isaac Bronson and Horatio Jones, at or immediately before the sealing and delivery hereof, the receipt whereof is hereby acknowledged, **HAVE** and by these presents Do grant, remise, release and forever quit claim and confirm unto the said Oliver Phelps, Isaac Bronson and Horatio Jones, and to their heirs and assigns, **ALL** that tract of land commonly called and known by the name of Little Beard's Reservation, situate lying and being in the said county of Ontario, **BOUNDED** on the East by the Genesee river and Little Beard's Creek, on the south and West by other lands of the said parties of the second part, and on the north by Big Tree Reservation—containing two square miles, or twelve hundred and eighty acres, together with all and singular, the hereditaments and appurtenances whatsoever thereunto belonging, or in any wise appertaining, to hold to them the said Oliver Phelps, Isaac Bronson and Horatio Jones, their heirs and assigns, to the only proper use and behoof of them the said Oliver Phelps, Isaac Bronson and Horatio Jones their heirs and assigns forever.

IN testimony whereof the said Commissioner, and the said parties have hereto, and to two other instruments of the same tenor and date, one to remain with the United States, one to remain with the Seneca Nation of Indians, and one to remain

with the said Oliver Phelps, Isaac Bronson and Horatio Jones, interchangeably set their hands and seals. Dated the 30th day of June in the year of our Lord one thousand eight hundred and two.

Con-nea-ti-u, his mark ✕ (L. S.)

Koe-en-twah-ka, or Corn Planter, his
mark ✕ (L. S.)

Won-don-goohk-ta, his mark X (L. S.)

Te-kon-non-du, his mark ✕ (L. S.)

Te-ki-ain-dau, his mark ✕ (L. S.)

Sa-goo-yes, his mark ✕ (L. S.)

You yo-cau-na, or Blue Sky, his maak
✕ (L. S.)

Koying-quau-tah, or Young King, his
mark ✕ (L. S.)

Soo-goo-ya-wau-tou, or Red Jacket, his
mark ✕ (L. S.)

Ona-ya-wos, or Farmer's Brother, his
mark ✕ (L. S.)

Ka-oun-doo-wand, or Pollard his mark
✕ (L. S.)

Au-wen-nau-sa, his mark ✕ (L. S.)

Sealed and delivered }
in presence of }

JOHN THOMSON,
JAMES W. STEVENS,
ISRAEL CHAPIN,
JASPER PARRISH, *Interpreter.*

NOW BE IT KNOWN, That I, THOMAS JEFFERSON, President of the United States of America, having seen and considered the said agreement, do, by and with the advice and consent of the senate

thereof, accept, ratify, and confirm the same and every clause and article thereof.

IN TESTIMONY WHEREOF, I have caused the seal of the United States to be hereunto affixed, and signed the same with my hand. Done at the city of Washington, the seventh day of February, in the year of our Lord one thousand eight hundred and three; and of the Independence of the said United States, the twenty-seventh.

TH: JEFFERSON,

By the President.

JAMES MADISON,
Secretary of State.



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